



OFFICE OF THE MAYOR
ANTONIO R. VILLARAIGOSA

October 30, 2012

Via Email to 1156-43578505@requests.muckrock.com

Tom Nash
MuckRock News
DEPT MR 1156
PO Box 55819
Boston, MA 02205-5819

Public Records Act Request Notice

Dear Mr. Nash:

This letter responds on behalf of Mayor Antonio R. Villaraigosa's Office to your public records request of September 28, 2012, *Public Records Act Request Relating to the Occupy LA movement*. Please find responsive records attached. This production supplements our production of October 22, 2012.

We have withheld production of certain records based on two grounds. First, some documents have been withheld because they are exempt from production under the deliberative process privilege contained in Government Code § 6255. The public interest served by non-disclosure clearly outweighs the public interest served by disclosure. See *Times Mirror Co. v. Superior Court*, 51 Cal.3d 1325 (1991). Additionally, other documents are exempt from production under the attorney-client privilege which is incorporated into the CPRA through Government Code § 6254(k).

Additional records, if any, will be produced as soon as they become available. Please feel free to contact me if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Sui Q. Duong".

Sui Q. Duong
Office of Counsel to the Mayor

REPORT FROM

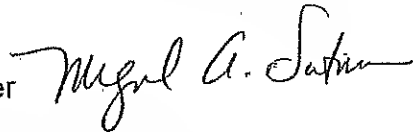
OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: December 23, 2011

CAO File No. 0220-04686-0003
Council File No. 11-2004
Council District: 9

To: The Mayor
The Council

From: Miguel A. Santana, City Administrative Officer



Reference: Motion Relative to Costs of Occupy LA Protest (C.F. 11-2004)

Subject: **PRELIMINARY COST ESTIMATE FOR OCCUPY LA PROTEST**

SUMMARY

The Council adopted a Motion on November 30, 2011 directing the Office of the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA) to report back on the costs for salaries, overtime, and other expenses related to the Occupy LA protest that occurred primarily in City Hall Park during the months of October and November 2011 (C.F. 11-2004). On December 1, 2011, the CAO issued directions to Departments for reporting costs associated with the protest, the results of which are provided in the Attachment of this report.

The Attachment reflects Department reported expenditures and estimated costs to date of \$2,350,847. Of this amount, about \$1.7 million are for Additional Costs that will increase the current budget shortfall of \$72 million. Departments have been instructed to absorb or mitigate \$21 million of the budget shortfall; this Office will report back in the Mid-Year Financial Status Report on related service impacts and on how the remaining deficit will be addressed.

The Attachment segregates costs into Standard Operating Costs (\$590,759) and Additional Costs (\$1,760,088). Standard Operating Costs include salary and overhead expenditures for non-overtime work that would have been incurred whether or not the protest had occurred. For example, the Fire Department deployed Inspectors to the protest as part of their regular work days throughout October and November 2011. Additional Costs include those in excess of Standard Operating Costs that were incurred as a result of the protest. For example, the Police Department paid overtime when its Officers evacuated the park on November 30, 2011. Key Additional Costs include:

- Total overtime costs: \$1,634,987. Overtime costs were primarily incurred for police enforcement by the Police Department and the Department of General Services, Office of Public Safety.
- Supplies, fencing, and estimated costs for park infrastructure repairs such as lawn lighting, electrical outlets, and signage: \$125,101.

The Attachment does not include the following items inasmuch as their associated costs cannot yet be determined or have not been reported to this Office:

- The Recreation and Parks Department is currently in discussions with the Mayor and City Council, Neighborhood Councils, and members of the public relative to how the park should be restored--to its original state or an alternate design. Until the final park restoration plan is determined, an accurate cost estimate cannot be made. During the course of the protest, the Department made an early, rough estimate of the cost to restore the park to its original condition of \$400,000. The outcome of discussions about the park design will directly impact the final cost of the restoration which will likely change.
- The Department of Cultural Affairs (DCA) has requested assessments and cost estimates from two qualified sculpture conservation firms for repairs to three cultural/historical monuments which have damage from thick paint poured on the lower surfaces, graffiti, and stickers being affixed to them: Flint Fountain, the Bill of Rights Memorial, and the Brody Memorial Bench. The Department expects to receive the conservator cost estimates by the end of December 2011; the DCA recommends that the restoration work be completed by a fine arts conservation firm with whom they would contract. The cost for the restoration could potentially be offset with insurance proceeds from the City's private Fine Art insurance policy; the DCA and CAO Risk Management Group are working with the insurance adjuster to prepare a claim.
- The Police Department has reported estimated paid overtime of \$1.2 Million and supply costs of \$30,000. Costs for regular, non-overtime salaries, overhead costs, and overtime paid as compensated time off have not yet been reported by the Department.

RECOMMENDATION

That the Council note and file this report inasmuch as it is for informational purposes only.

MAS:ACA:TJM:02120071c

Attachment

Attachment: Preliminary Occupy LA Cost Estimate

Department	Standard Operating Costs*	Additional Costs*			Total	Notes
		Overtime	Equipment, Supplies, Repairs	Total Additional Costs		
Board of Public Works	\$ -	\$ -	\$ 2,700	\$ 2,700	\$ 2,700	Cost for graffiti abatement.
Bureau of Sanitation	40,784	3,589	10,509	14,098	54,882	
Bureau of Street Lighting	1,242	512	302	814	2,056	
Bureau of Street Services	15,918	9,759	3,656	13,415	29,333	
City Attorney	187,916	-	-	-	187,916	Costs for consultation provided to the Mayor, Department of General Services, and Police Department.
Emergency Management Dept.	23,019	2,343	-	2,343	25,362	
Fire Dept.	44,617	27,546	-	27,546	72,163	
General Services	170,073	335,266	66,414	401,680	571,753	All overtime for Office of Public Safety Officers except \$845 for Building Maintenance. Of the \$335,266 in overtime, \$199,007 was paid overtime and \$135,414 was Compensated Time Off
Information Technology Agency	11,869	5,459	-	5,459	17,328	The reported overtime costs are for paid overtime only and will increase if the Department reports overtime paid as compensated time off. Supplies purchased include: Restraint cuffs, bags, portable toilets and light towers at the staging area, and signage. The Department is in the process of calculating its Standard Operating Costs.
Police Dept. **	TBD	1,200,000	30,000	1,230,000	1,230,000	Park restoration costs are not included as they cannot be determined until the final restoration plan is established. Supply costs include \$10,000 for rental of the fence around the park.
Dept. of Recreation and Parks	85,531	20,794	10,000	30,794	116,325	
Transportation Dept.	9,790	29,719	1,520	31,239	41,029	
Total	\$ 590,759	\$1,634,987	\$ 125,101	\$1,760,088	\$2,350,847	

* Standard Operating Costs include expenditures for non-overtime work and would have been incurred whether the protest had occurred or not. For example, the Fire Department deployed Inspectors to the protest as part of their regular work days throughout October and November 2011. Additional Costs are those in excess of Standard Operating Costs and would not have been incurred had the protest not occurred. For example, the Police Department paid overtime to some Officers when they evacuated the park.

** The Police Department estimated the identified costs; actual costs will be different than those shown.

sylvan street

vancouver city hall plaza: landscape concept plan

main building: saint fernando valley
constituent service center

2 story
retail shops

plaza

erwin street pedestrian mall

alley

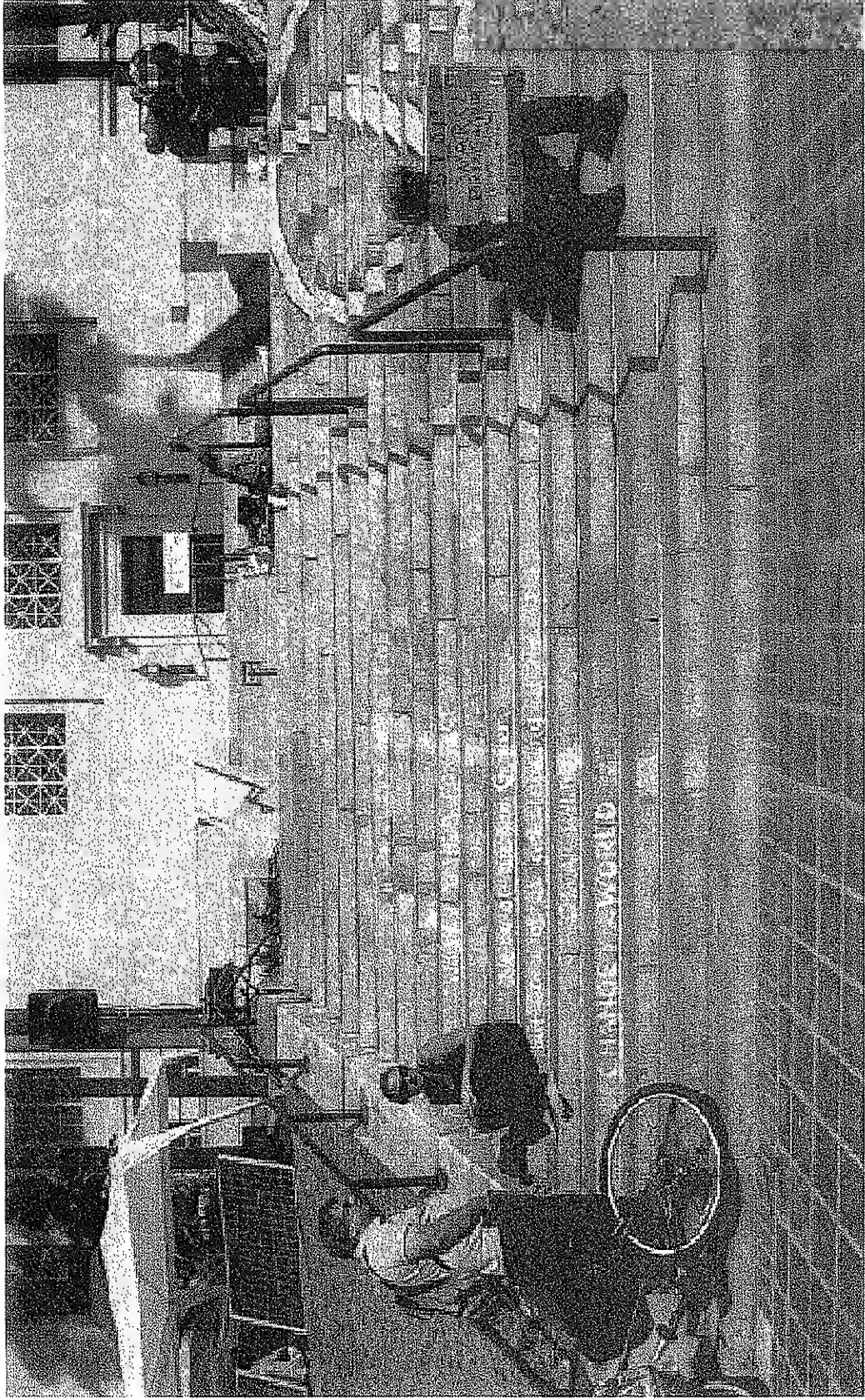
vancouver city hall

sylmar street

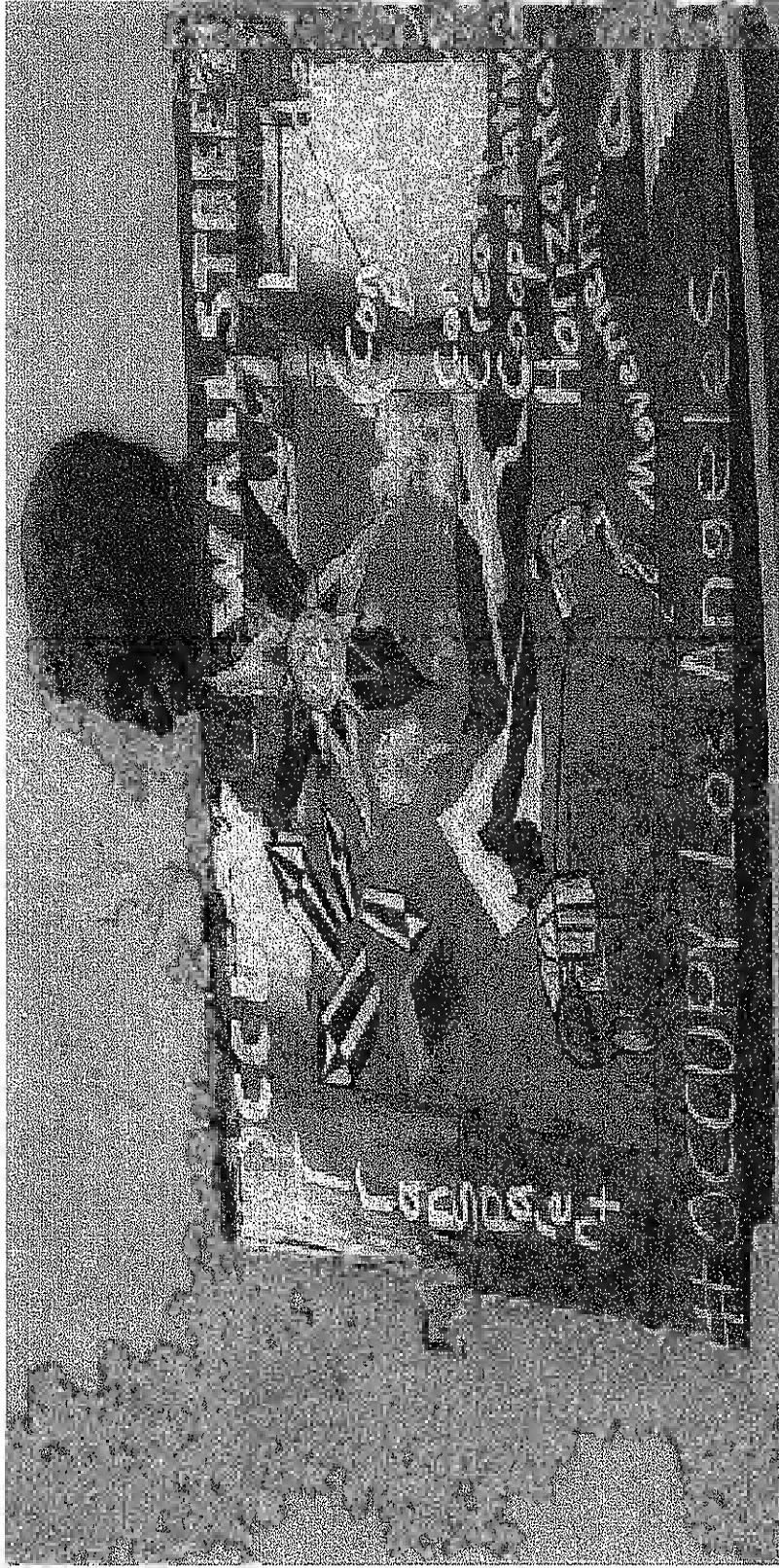
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1111 1st Ave
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SCALE: 1" = 20'-0"

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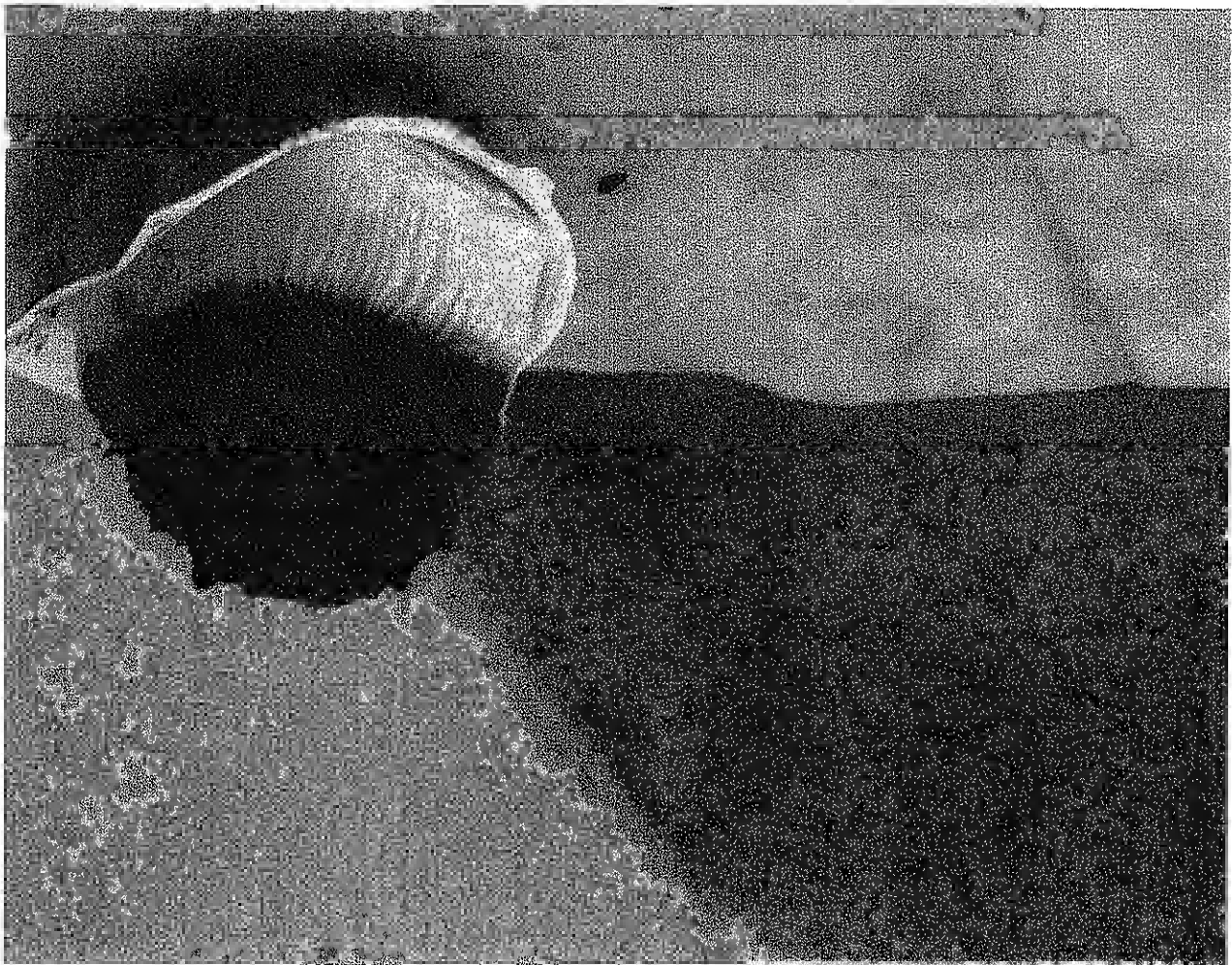


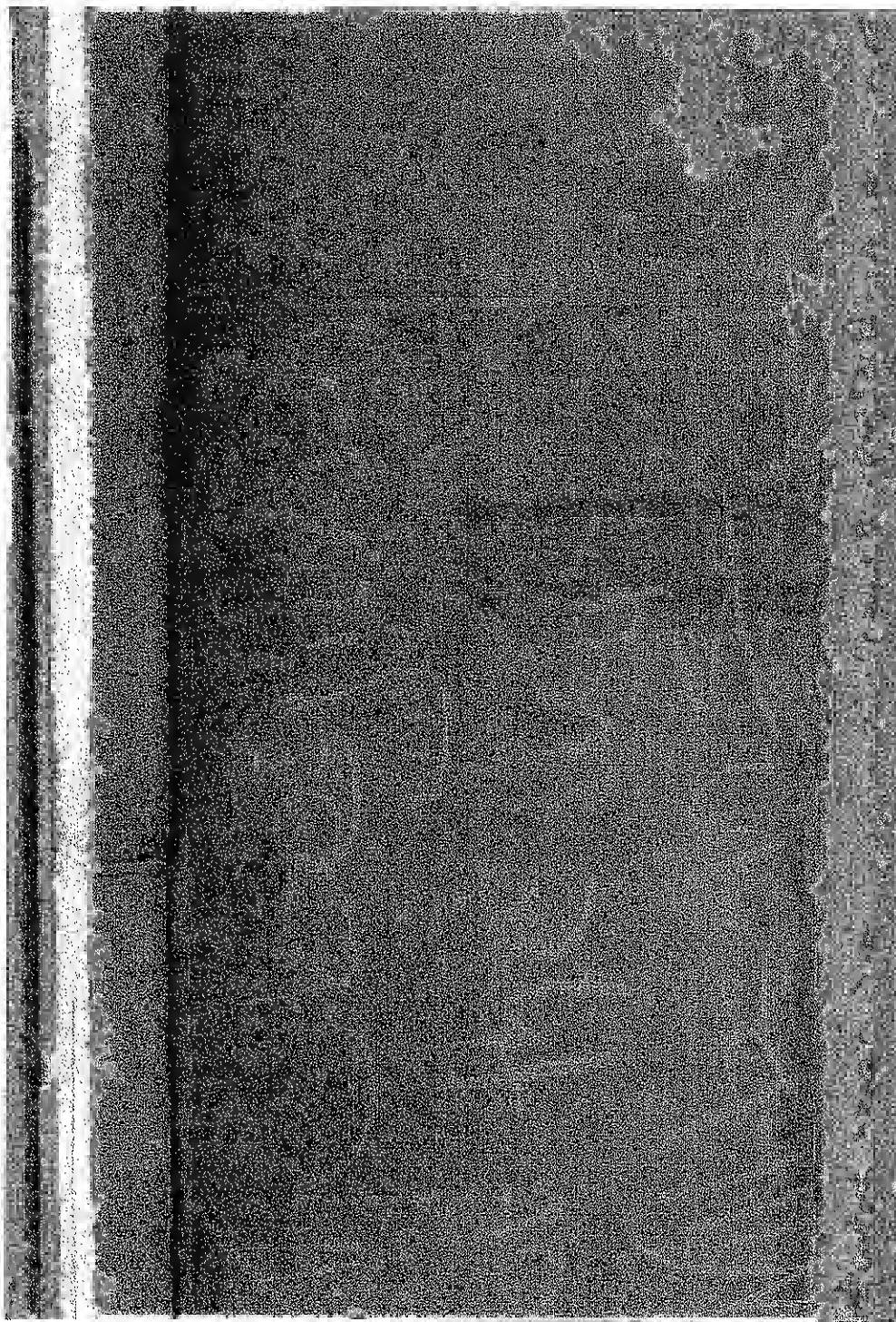
FIRST STREET STEPS - CITY HALL



FOUNTAIN ON SOUTH LAWN – CITY HALL

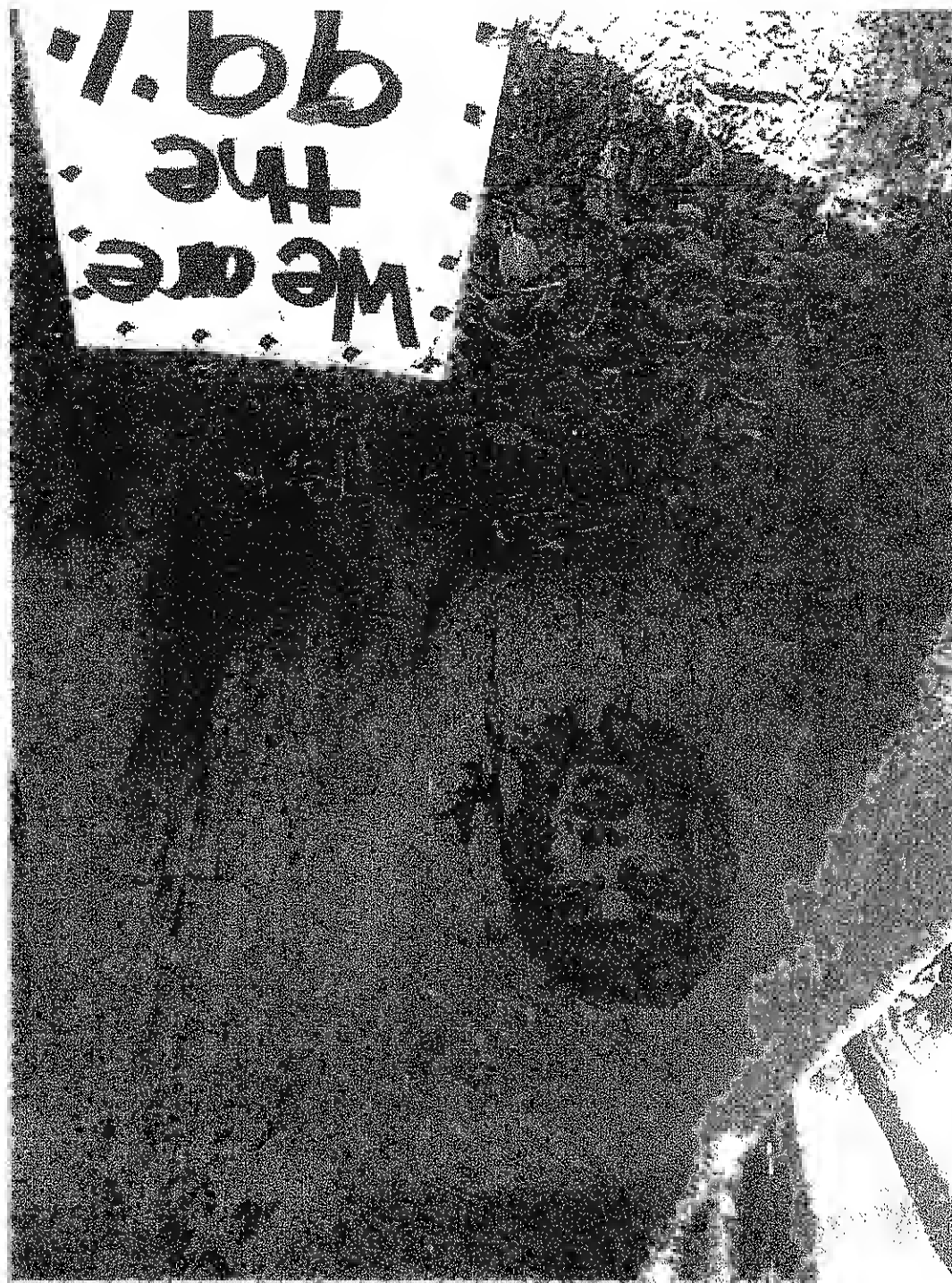
FOUNTAIN ON THE SOUTH LAWN OF CITY HALL



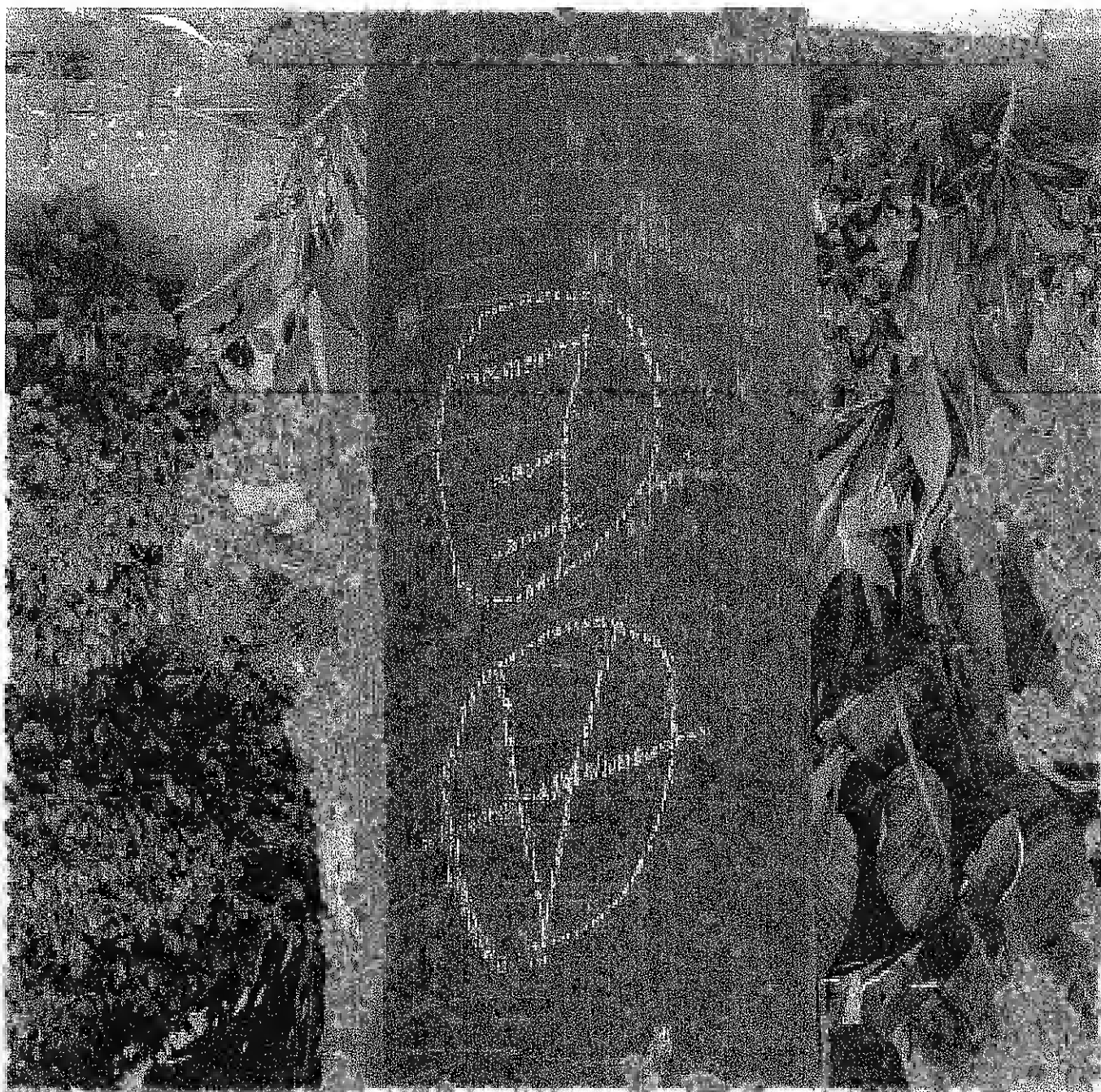


GRAFFITI NEAR THE SOUTH LAWN OF CITY HALL

GRAFFITI ON A TREE AT 1ST & MAIN ST. - CITY HALL



GRAFFITI ON THE SOUTH LAWN TREE - CITY HALL





LAFD FIRE MEMORIAL ON SOUTH LAWN – CITY HALL

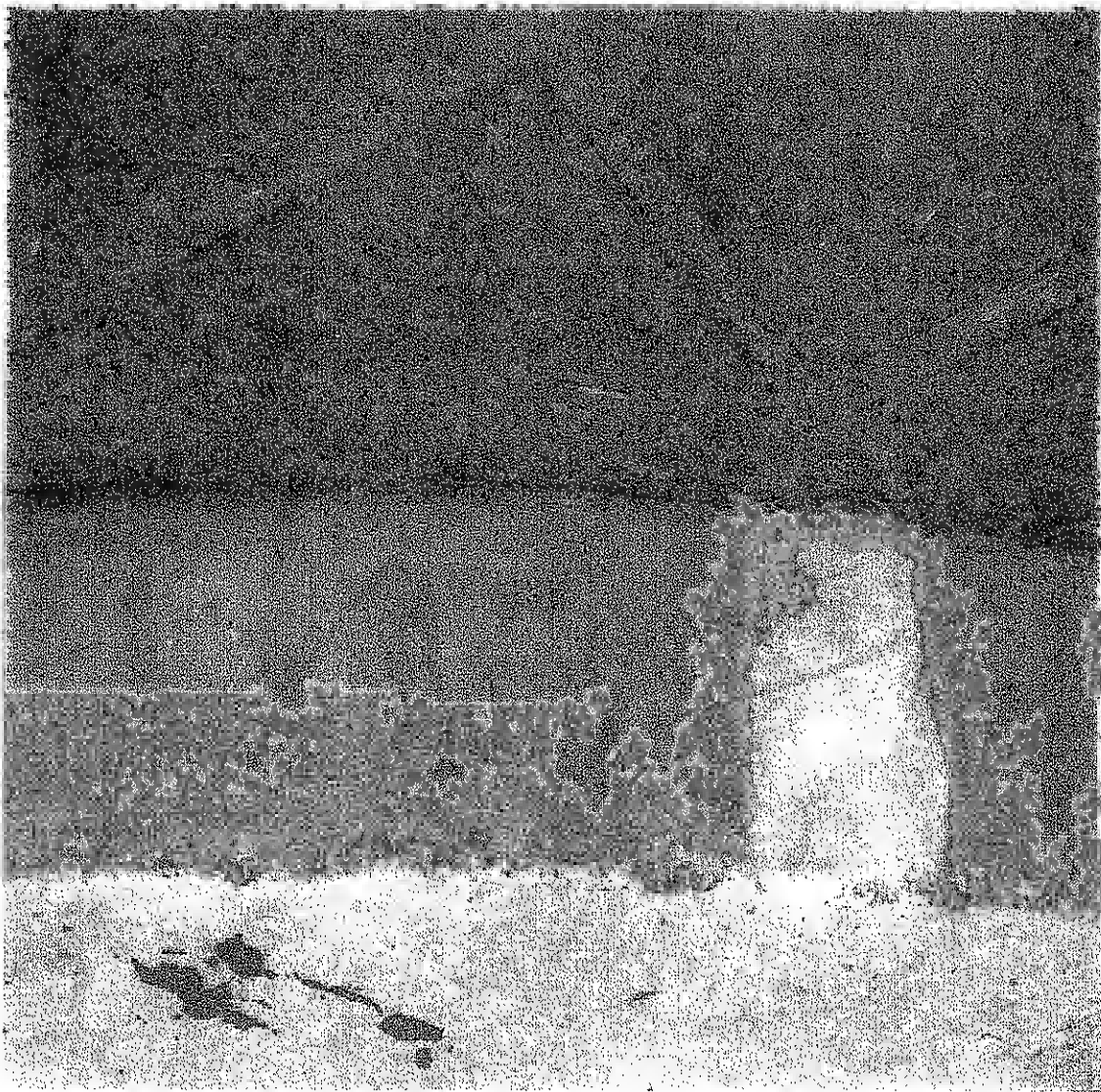


SOUTH LAWN NEAR FOUNTAIN & 1ST STREET STEPS - CITY HALL



SOUTH LAWN NEAR FOUNTAIN & 1ST STREET STEPS - CITY HALL_2

FOUNTAIN ON THE SOUTH LAWN - CITY HALL 1



Procedures for Use of City Hall Rooms and Common Areas

Prepared by Office of Chief Legislative Analyst
(Revised, 2/06)

The following is a compilation of established procedures and limitations relative to the use of rooms and other locations at City Hall (including Van Nuys City Hall).

Rooms and common areas in City Hall and Van Nuys City Hall are used exclusively for City hosted/sponsored events and activities. Any City elected official and any City department or agency may host/sponsor an event or activity at City Hall and Van Nuys City Hall, subject to scheduling and jurisdictional limitations indicated on the attached list of specific locations. City departments/agencies other than elected City officials must obtain prior City Council approval for use of these spaces. Except as indicated otherwise on the attached list the spaces within City Hall are not available for use by non-City entities.

Procedures for Scheduling and Use of City Hall Rooms and Common Areas

1. Contact the department or office responsible for scheduling the particular room or location to check on availability and to place a preliminary hold.
2. Contact General Services Department, Special Events to obtain cost figures for which departments providing services must be reimbursed (costs could include payment of overtime for staff, including security, parking attendants, sound technicians, payment of materials or equipment rental, etc.). Costs cannot be waived.
3. City Departments, other than City elected officials, must request the City Council to authorize, by Motion, the use of the space; both City Departments and City elected officials must request City Council to transfer funds by Motion to cover the costs incurred by City departments in providing support for the event, if any.

These Locations Are for Use Only for City Sponsored* Events

*sponsored means: hosted by any City elected official; or hosted by any City department or agency per City Council action (Motion). The sponsor/host shall arrange to cover the cost of staff overtime or other event related costs. Costs cannot be waived.

Rotunda

- must be scheduled through General Services
- exhibits or displays are not permitted (see Bridge Gallery below)

Spring Street Forecourt

- must be scheduled through General Services

John Ferraro Council Chamber

- must be scheduled through City Clerk acting on behalf of the Council President
- food/drink not allowed at any time

Van Nuys Council Chamber

- must be scheduled through City Clerk acting on behalf of the Council President
- food/drink not allowed at any time

City Hall Tower - Tom Bradley Room

- must be scheduled through General Services

Henry P. Rio Bridge Gallery

- must be scheduled through General Services. The Bridge Gallery Display and Exhibition Guidelines (CF 94-0058) provide that the General Services Department will take primary responsibility for coordinating displays on the Bridge Gallery; the Cultural Affairs Department will approve all art exhibits; the Guidelines also require an indemnification and hold harmless clause for all artists / exhibitors using the Bridge Gallery.

City Council Executive Room 333

- must be scheduled through Council President's Office

City Council Press Room (Memorial Media Center)

- use is governed by Council Rule 92
- must be scheduled through Chief Legislative Analyst
- food/drink not allowed at any time

City Council Fourth Floor Press Room (Media Center)

- use is governed by Council Rule 92
- must be scheduled through Chief Legislative Analyst

Tenth Floor Conference / Committee Rooms

- must be scheduled through General Services
- food/drink not allowed at any time
- schedule through Groupwise directly, send e-mail to: CH_10Fl_CC@gsd.lacity.org

Edward Roybal Board of Public Works Room 350

- must be scheduled through Board of Public Works

Public Works Conference Room 390

- must be scheduled through Board of Public Works

Mayor's Conference Room

- must be scheduled through Mayor's office

Spring Street Forecourt

- must be scheduled through General Services

City Hall South Plaza

- must be scheduled through General Services

Ernani Bernardi Plaza - Van Nuys Civic Center

- must be scheduled through General Services

Locations For Use by Public Groups

Spring Street Steps

- must be scheduled through General Services
- may be used by non-City, public groups

First Street Steps

- must be scheduled through General Services
- may be used by non-City, public groups

Main Street Plaza-City Hall East

- must be scheduled through General Services
- may be used by non-City, public groups

Van Nuys City Hall Front and Rear Steps

- must be scheduled through General Services
- may be used by non-City, public groups

09-0234-S1

INTERGOVERNMENTAL RELATIONS

OCT 05 2011

RESOLUTION

WHEREAS, Angelenos, like citizens across the United States, are reeling from a continuing economic crisis that threatens our fiscal stability and our quality of life; and

WHEREAS, "Occupy Los Angeles" is fueled by Angelenos from all walks of life who have come together in a demonstration of solidarity with and support for the national movement started by the "Occupy Wall Street" protests that began 17 days ago; and

WHEREAS, on Saturday, October 1st, 2011, "Occupy Los Angeles" started a peaceful protest on the Lawn of Los Angeles City Hall that continues through this day, and "Occupy Los Angeles" demonstrators are working to secure permits to continue the protest; and

WHEREAS, over 70 additional "Occupy" protests have taken root across the Country, from large demonstrations in Boston and San Francisco, to dozens of smaller ones in between, with many more being planned every hour, including a large-scale "Occupy Colleges" movement set to begin at 12 noon today on college campuses across the United States; and

WHEREAS, the protest in Liberty Plaza called "Occupy Wall Street" released its first official Resolution on September 30th, 2011, available at <http://occupywallst.org/forum/first-official-release-from-occupy-wall-street/>, providing an overview of the goals and unifying principles of the "Occupy" movement; and

WHEREAS, the "Occupy" demonstrations are a rapidly growing movement with the shared goal of urging U.S. citizens to peaceably assemble and occupy public space in order to create a shared dialogue by which to address the problems and generate solutions for economically distressed Americans; and

WHEREAS, the causes and consequences of the economic crisis are eroding the very social contract upon which the Constitution that the United States of America was founded; namely, the ability of Americans to come together and form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense of, promote the general welfare of, and secure the blessings of liberty for all, allowing every American to strive for and share in the prosperity of our nation through cooperation and hard work; and

WHEREAS, today corporations hold undue influence and power in our country, and the key to this power is the corporate claim to "personhood," an opinion both U.S. Supreme Court Justices Hugo Black and William O. Douglas declared should be reversed; and

WHEREAS, the United States Supreme Court's recent 5-4 ruling in *Citizens United v. the Federal Election Commission* rolled back legal restrictions on corporate spending in the electoral process, consequently influencing the selection of candidates, the outcome of elections, and policy decisions -- threatening the voices of the people; and

WHEREAS, our economic system can only be called broken when one considers that currently, over 25 million Americans who seek work are unemployed; more than 50 million Americans are forced to live without health insurance; and, even using our current poverty measure that is widely recognized to be inadequate and outdated, more than 1 in 5 American children are growing up poor in households that lack access to resources that provide basic survival needs, such as food, clothing, and shelter; and

WHEREAS, the U.S. Centers for Disease Control (CDC) released a "CDC Health Disparities & Inequalities Report- United States, 2011" revealing that income inequality in the United States is the

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highest in the world among any advanced industrialized nation, with wide-spread inequities in U.S. health outcomes by income, race, and gender; and

WHEREAS, over the past 30 years, both the average and the median wage in America has remained almost stagnant while the average individual worker contribution to GDP has soared to 59% and the economy has doubled, all after adjusting for inflation; and

WHEREAS, over the past 30 years, almost all the gains to the economy have accrued to the very top income earners—largely the top 1%, who now control 40% of the wealth in the United States, in great part as a result of policy changes that are reversible such as taxation; and

WHEREAS, the Institute for Policy Studies indicates that the top 1 percent of Americans own half of the country's stocks, bonds and mutual funds; and

WHEREAS, the 400 richest Americans at the top control more wealth than the 180 million Americans at the bottom; and

WHEREAS, the Los Angeles County Federation of Labor has officially endorsed "Occupy Los Angeles" and "Occupy Wall Street" in a statement of support saying: "The Los Angeles labor movement stands with its sisters and brothers occupying Wall Street, downtown Los Angeles, and cities and towns across the country who are fed up with an unfair economy that works for 1% of Americans while the vast majority of people struggle to pay the bills, get an education and raise their families;" and

WHEREAS, the Los Angeles County Federation of Labor statement of endorsement continues: "The Occupy Wall Street movement is mobilizing for a fair economy across the country including in Los Angeles. This movement is taking a stand against the corporate bullies, banks and investment firms that not only created our economic collapse in 2008, but continue to take advantage of it today, making billions in profits while demanding further wage and benefit cuts from American workers;" and

WHEREAS, Americans must resolve some of the divisive economic and social realities facing our nation in a peaceful way to avoid the further deterioration of our greatest asset—our human capital—and;

WHEREAS, in cognizance that one of the factors spurring recent violent revolutionary protests in the Middle East is high income inequality, though the sobering reality is that income inequality in the United States is even higher than that of some of the countries torn asunder by violent revolution; for instance, according to the C.I.A. World Fact Book, the United States Gini coefficient, which is used to measure inequality, is higher than that of Egypt's pre-Revolution; and

WHEREAS, the fiscal impact of the continuing economic crisis is disastrous to education, public services, infrastructure and essential safety-net services that have historically made America successful, with school class sizes growing while teachers are laid off and forcing Cities and States to make sobering choices that just a few years ago would have been unthinkable, such as how to cut hours and services from public safety provision, delaying or neglecting to maintain essential physical infrastructure including roads, sewers, and water and power delivery; and cutting services provided by our libraries, recreation, and park facilities; and

WHEREAS, one of the largest problems causing our economy to continue to flounder is the foreclosure crisis, with some banks continuing the use of flawed, and in some cases fraudulent, procedures to flood the housing market with foreclosures, such as the recent revelations of widespread foreclosure mismanagement by mortgage servicers who fail to properly document the seizure and sale of homes, in some cases foreclosing without the legal authority to do so, prompting the 50-state Attorney General investigation of foreclosure practices; and

WHEREAS, California has been particularly hard-hit by the foreclosure crisis, with:

- 1 in 5 U.S. foreclosures in California; and
- 1.2 million foreclosures in California since 2008, with a projection of a total of 2 million California foreclosures by the end of 2012; and
- More than a third of California homeowners locked in an underwater mortgage, with few banks offering any type of principal reduction modification, even given Federal, State and City programs offering to split the balance of a modification with the bank; and

WHEREAS, the costs of the foreclosure crisis to California taxpayers includes:


- Property tax revenue losses estimated at \$4 billion; and
- Local, county and state government losses to respond to foreclosure-related costs estimated at \$17 billion --including costs such as the maintenance of blighted properties, sheriff evictions, inspections, public safety, trash removal, and other costs at \$19,229 for every foreclosure; and

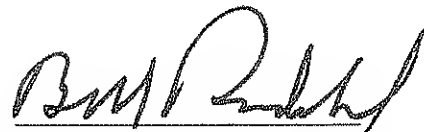
WHEREAS, on March 5th, 2010, the Los Angeles City Council unanimously passed the Responsible Banking measure, CF 09-0234 (Alarcon-Garcetti-Hahn-Parks-Reyes), which would create a Responsible Banking program for the City of Los Angeles, scoring financial institutions that the City pays to conduct City business along a Los Angeles-specific "Community Reinvestment Score" that measures the institution's Los Angeles investments in an objective, data-driven manner, for example, by measuring the amount of home loan modifications extended to Los Angeles homeowners, the amount and location of bank branches maintained throughout the City, and the amount of affordable housing dollars invested in the City; and

WHEREAS, the Responsible Banking program, a practical approach to ensuring accountability, would therefore provide an important financial incentive for banking institutions to 1) Invest more in our City and our citizens, particularly by stabilizing the housing market; 2) Provide our community development institutions and nonprofits with increased affordable housing funds, and 3) Provide incentive for additional economic development drivers to spur increased fair lending and equitable investment in Los Angeles, by leveraging a model similar to the federal Community Reinvestment Act;

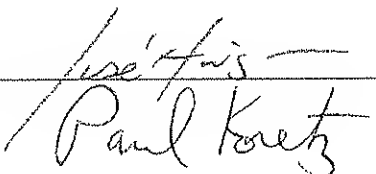
NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby stands in SUPPORT for the continuation of the peaceful and vibrant exercise in First Amendment Rights carried out by "Occupy Los Angeles" and urges the City Departments responsible for completing the implementation plan associated with the Responsible Banking measure (CF 09-0234) that was approved by the Council on March 5th, 2010, which would address some of the concerns of the "Occupy Los Angeles" demonstrators by demanding accountability and results from the Banks we invest taxpayer dollars in, to bring the Responsible Banking measure for a final vote to the Council by October 28th, 2011.

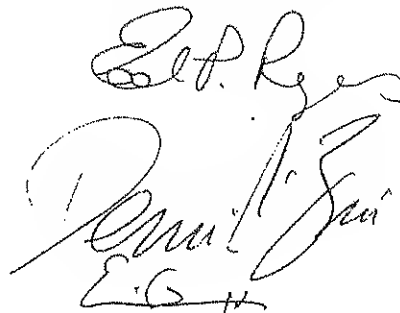
PRESENTED BY


RICHARD ALARCON
Councilmember, 7th District


BILL ROSENDAHL
Councilmember, 11th Council District

SECONDED BY


Paul Kretz


Bill Rosendahl

OCT 5 2011

Los Angeles Zoo
 Los Feliz Pitch & Putt Golf Course
 Mae Boyar Park
 Mandeville Canyon Park
 McGroarty Park
 Moon Canyon Park
 Moonshine Canyon Park
 Mt. Olympus
 Mulholland View Site #16
 Norman O. Houston Park
 O'Melveny Park
 Orcas/Gabrieleno Equestrian Park
 Orcutt Ranch Horticultural Center
 Oro Vista Park
 Palisades Park
 Palisades Recreation Center
 Palisades Slide Area
 Palisades-Asilomar Park
 Pasko Park
 Peck Park
 Pilsn Property
 Porter Ranch Park
 Porter Ridge Park
 Potrero Canyon Park
 Pueblo de Rio Park
 Rena Park
 Reseda/Rinaldi Park
 Richard Alatorre Park
 Rivas Canyon Park
 Roger Jessup Park
 Roosevelt Golf Course
 Runyon Canyon
 Rustic Canyon
 San Vicente Mountain Park
 Santa Ynez Canyon
 Sepulveda Basin Recreation Area
 Serrania Ave Park
 Shadow Ranch Recreation Center
 Stetson Ranch Equestrian Park
 Stoney Point Park
 Sullivan Canyon Park
 Taxco Trails Park
 Temescal Canyon Park
 The Homestead Acre/
 Tregnan Golf Academy
 Vanalden Park
 Verdugo Mountain Park
 Via De Las Olas Park
 Viking Park
 Villa Cabrini Park
 Warner Center Park
 Wattles Garden Park
 West Hills Park
 White's Point Nature Preserve
 Wilacre Park

Wilbur-Tampa Park
 Wilder's Addition (Point Fermin Park)
 Wilson/Harding Municipal Golf Course
 Woodbine Park
 Woodland Hills Park
 Zelzah Park

Q. The provisions of this section shall not prevent nor be construed to limit or prohibit any duly authorized departmental officer, agent or employee, or any duly authorized peace officer, from performing any act within the scope of his official duties. (Subsec. N. Redesignated Subsec. O. by Ord. No. 173,878, Eff. 4/12/01; Subsec. O. Redesignated Subsec. P. by Ord. No. 173,922, Eff. 5/28/01; Subsec. P. Redesignated Subsec. Q. by Ord. No. 179,129, Eff. 8/28/07.)

SEC. 63.45. EMERGENCY PARK CLOSURE.

(Amended by Ord. No. 153,027, Eff. 11/16/79)

A. Whenever a danger to the public health or safety is created in any public park by such causes as flood, storm, fire, earthquake, explosion, accident or other disaster, or by riot or unlawful assembly, the General Manager, an Assistant General Manager, a lifeguard of the Department of Beaches or a park ranger of the Department may close the area where the danger exists for the duration thereof to any and all persons not authorized to enter or remain within such closed area.

B. Park rangers may close the immediate area surrounding any emergency field command post established for the purpose of controlling any dangerous condition stated in this section to all unauthorized persons.

C. No unauthorized person shall willfully and knowingly enter an area closed pursuant to Subdivision A or B of this section nor shall willfully remain within such areas after receiving notice to evacuate or leave the area from any park ranger, lifeguard, fire fighter, or peace officer.

SEC. 63.46. DESIGNATION OF DRUG-FREE ZONES.

(Amended by Ord. No. 171,454, Eff. 1/26/97.)

The following locations are designated "drug-free zones" pursuant to Section 11380.5 of the Health and Safety Code of the State of California:

A. All public beach areas bordering the Pacific Ocean, from the Santa Monica City limits to the El Segundo City limits, which are owned, leased to, managed or controlled by the City, including all beach

SEC. 41.14. INJURY TO PUBLIC PROPERTY.

No person shall cut, break, destroy, remove, deface, tamper with, mar, injure, disfigure, interfere with, damage, tear, remove, change or alter any:

- (a) part of any building belonging to this City;
- (b) drinking fountain situated on any public street or sidewalk or any appliance used in or about such foundation;
- (c) (1) electric lamp erected or suspended on or over any street, sidewalk or park and used in the lighting thereof, or any wire or other apparatus immediately attached to such lamp;
- (2) any lamp standard or lamp pole, nor attach thereto any banner, pennant, streamer, flag, sign, picture, wire, rope or other attachment of any kind for any purpose without first obtaining a permit to do so, as required by Sec. 62.132 of this Code;
- (d) parts or appurtenances of the fire alarm, telegraph system or police signal system, lamp post, street sign post, fire alarm box, police signal box, post, standard, or pole or any fixture or apparatus used about or in connection with any such post, box, standard or pole;
- (e) life buoy, life preserver, life boat, rope, gang or other materials, property or apparatus owned by this City and used or intended to be used for the purpose of saving life except when necessary for that purpose;
- (f) public bridge or any portion thereof;
- (g) water main, pipe, conduit, hydrant, reservoir or ditch, or to tap the same without permission of the Board of Water and Power Commissioners;
- (h) water meter or any box containing any pipe, stop-cock or cut-off valve of the Department of Water and Power of this City or cover the same with earth, brick, stone, mortar, debris, or building material;
- (i) tree, shrub, tree stake or guard in any public street, or affix or attach in any manner any other thing whatsoever, including any guy wire or rope, to any tree, shrub, tree stake or guard except for the purpose of protecting it or unless otherwise authorized by this Code;

(j) property owned by any public utility located on any street or sidewalk;

(k) other property owned or leased by this City, the County of Los Angeles, the State of California or the United States government or any political subdivision or department thereof, and not specifically enumerated in this section;

(l) public document, notice or advertisement or any private or legal document required to be posted or exhibited in the manner and place provided by law, or any copy of any ordinance posted in any public building or place, or on private property when such public notice or ordinance is required by law to be placed or posted thereon.

SEC. 41.16. SNUFF - THROWING OF.

No person shall throw, blow or otherwise scatter on any street, sidewalk, restaurant, cafe, theatre, place of amusement or other public place any snuff, or any substance which injuriously affects the olfactory nerves or which causes sneezing or coughing or otherwise injuriously affects the person.

SEC. 41.17. LIBRARY BOOKS - RETENTION AFTER NOTICE.

No person shall retain any book, newspaper, magazine, pamphlet, manuscript, or other property belonging in or to, or on deposit with the Public Library or any branch reading room, or deposit station thereof operated in connection therewith, for a period exceeding thirty days after notification by the first class mail to the borrower's address on file with said library, given after article or other property may be kept, which notice so mailed shall bear on its face a copy of this section.

SEC. 41.18. SIDEWALKS, PEDESTRIAN SUBWAYS - LOITERING.

(a) No person shall stand in or upon any street, sidewalk or other public way open for pedestrian travel or otherwise occupy any portion thereof in such a manner as to annoy or molest any pedestrian thereon or so as to obstruct or unreasonably interfere with the free passage of pedestrians. (Amended by Ord. No. 137,269, Eff. 10/21/68.)

- Arrests
- 3070 fewer
vendors

October 27, 2011

Honorable Antonio R. Villaraigosa
Mayor, City of Los Angeles

Honorable Eric Garcetti
President, City Council
c/o City Clerk's Office
Room 395, City Hall
Los Angeles, CA 90012

Attention:

IMPACT OF PROTESTORS ON CITY HALL COMPLEX

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Impacts

Vandalism to Memorials and Monuments

- **South Lawn Fountain:** The fountain is a historic treasure built in the 1930s. The protestors are sitting and climbing on the fountain. They are also burning toilet paper around it. A large screen was recently reinstalled on the fountain to show movies. Marble is slippery and the protestors could easily fall or incur serious injury resulting in increased liability for the City.
- **LAFD Memorial.** The memorial is being used to display signs and as a "stake" for ropes used to prop-up tents. This use is contrary to existing City ordinances and, if it topples, could cause serious injury, again resulting in increased liability for the City.

The attached pictures illustrate these problems. City efforts to have the screen removed and otherwise protect the fountain from graffiti through negotiations with the protestors have been unsuccessful.

- **Actions Taken:** To protect these historic treasures and protestors from injury, GSD will soon construct a protective covering around them.

Other Public Safety Issues

Crime and Substance Abuse

- The Office of Public Safety is receiving number complaints related to indecent exposure and unsanitary practices and conditions.
- Substance abuse, ~~e.g., marijuana and heroin~~, is routinely occurring on the grounds.
- Municipal Code violations such as illegal parking in the red zone and bus zone, excessive noise and many other infractions are occurring.
- Unattended vehicles or bags being left on the sidewalk surrounding City Hall are comprising the department's ability to safely security City Hall property.

Facility

- **Obstruction of Base Isolation Joints Around City Hall.** These joints are designed to allow the building to move in the event of an earthquake and ensure the foundation of City Hall remains unharmed. Trash is being dumped into the grates thereby creating a fire hazard.
- **Action to be taken:** GSD is deploying staff to periodically remove this trash. Evaluation is underway to determine if additional measures are needed.

City Hall Park is Unavailable for Other Uses

Safe Refuge Areas

- The size of the encampment has eliminated access to safe refuge areas. These are pre-designated areas that City employees are trained to use in the event of a building emergency such as a fire or earthquake. Many safe refuge areas are designated in the City Hall Park as safe refuge areas for employees and visitors evacuating City Hall, City Hall East and City Hall South.

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We will continue to advise you of the impacts of the protest on City property and public safety. For additional information please contact me at (213) 928-9588 or Chief Gary Newton at 213-978-466 or via e-mail.

Tony M. Royster

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MOTION

BUDGET & FINANCE

The nationwide "Occupy" movement has brought renewed attention to the nation's banking and financial institutions, shining a bright light on illegal practices and egregious profits that are hurting states, cities and citizens throughout the United States. The Occupy movement has a legitimate gripe, as banks and financial institutions across the nation have been accused of and plead guilty to illegal activity.

According to the Washington Post, in December of 2010, "Bank of America agreed to pay \$137.3 million to settle allegations that it defrauded schools, hospitals and dozens of other state and local government organizations. The settlement stems from a long-running investigation into misconduct in the municipal bond business that raises money for localities to pay for public services. Bank of America is accused of depriving local organizations of millions of dollars by engaging in illegal behavior when investing the proceeds of municipal bond sales." As a settlement, the bank is paying \$107.8 million to these organizations in restitution, \$25 million to the Internal Revenue Service for abuses related to the tax-free status of municipal bonds and \$4.5 million to state attorneys general for costs related to their investigations.

In May of 2011, Deutsche Bank was sued by the Los Angeles City Attorney for failing to maintain foreclosed properties and illegally evicting low-income tenants. As reported in Bloomberg News, "The lawsuit filed in California state court comes a day after the U.S. Justice Department sued the German bank for more than \$1 billion, claiming it lied while arranging federal insurance on faulty mortgages. Deutsche Bank's Mortgage IT unit falsely certified that it was examining default risks while qualifying loans for Federal Housing Administration insurance, according to the government."

On October 20, 2011, the New York Times reported that Citigroup Inc. will be paying nearly \$300 million to settle a civil fraud complaint that the banking giant promoted an investment tied to the housing market, yet failed to tell investors it was betting those securities would fail. According to the Times, "the settlement is the latest in a number of regulatory actions against banks for their role during the housing market collapse and ensuing financial crisis." The article also sites that "Goldman Sachs Group Inc. agreed to pay \$550 million to settle claims that it failed to tell clients that the investment bank was betting against some of its mortgage-related securities. JPMorgan Chase & Co. agreed in June to pay \$153.6 million on similar accusations, and the SEC has pledged that other major banks are still under scrutiny."

Allegations of fraud by financial institutions against the City go back many years. In 2008, the City Council unanimously approved hiring outside counsel for a lawsuit being brought against sellers of municipal securities, including Guaranteed Investment Contracts (GIC). Per the motion, the lawsuit involves "what has been described as the biggest criminal probe of the municipal bond market in its 200-year history" regarding the possible antitrust and anticompetitive conduct in the municipal security business. The motion continues, "More and more evidence is surfacing in this investigation of conspiracy among brokers and sellers of GICs to rig bids, to allocate customers and markets, and to fix the returns received by the City. The City Attorney concurs that these alleged actions have likely lead to the City receiving rates of returns on the GICs below what the City should have received had the bidding process been truly competitive. As a result, the City has likely lost millions of dollars in interest on public bonds used to finance critically needed public infrastructure projects."

Given the fact that banks and financial institutions are being accused of ripping off the City of L.A., in 2009, Councilmember Richard Alarcon introduced a motion to create a Responsible Banking ordinance so that the City Council can decide to award contracts with financial institutions that are good actors in the community, as measured by factors including local community development lending, philanthropic giving, and affordable housing projects, as well as the institution's track record in previous contracts with Los Angeles and taxpayer dollars. The purpose of the Responsible Banking draft ordinance is to pro-actively safeguard taxpayer dollars by awarding future contracts to financial institutions with a track record of investment in, and good faith deals with, the City. Modeled after a Philadelphia ordinance, the Responsible Banking ordinance would allow the City to get more information on the institutions in which the City is investing its money. Over 50 jurisdictions currently have or are considering ordinances similar to the one being considered by the City of Los Angeles.


In March of 2010, the Los Angeles City Council unanimously supported a motion instructing the City Attorney to draft a Responsible Banking Ordinance. This draft ordinance was presented to the Jobs and Business Development Committee and in October of 2010, the Jobs Committee approved the ordinance and forwarded it for consideration by the Budget & Finance Committee, where the draft ordinance has been scheduled for a Committee hearing on November 21st, 2011.

As the ordinance awaits a hearing in Budget & Finance committee, the City Administrative Officer published a report citing costs to the City if contracts with financial institutions would be terminated and new contracts were to be negotiated. The CAO report, which considers an action that has not been suggested by any Councilmember and postulates costs to the City for something that is not being considered, fails to include any information on what the City has lost in resources and money because we have done business with banks that are taking advantage of taxpayers' by ripping off the City.

I THEREFORE MOVE, that the City Administrative Officer (CAO) and the Chief Legislative Analyst (CLA), with input from the Controller, City Attorney, and General Manager of the Office of Finance, prepare and present a report to the Los Angeles City Council on the costs to the City due to the illegal actions of banks and due to the lawsuits that the City has brought against financial institutions and banks that have completed or are doing business with the City of Los Angeles. This report should include:

- Information on which banks are currently being sued by the City of Los Angeles, have admitted to wrong-doing or have settled regarding law-suits that involve the City of Los Angeles or financial wrong-doing in other municipalities, states or the nation;
- The estimated amount of money lost by the City due to bid-rigging, swap deals, illegal quid-pro-quo with bond rating agencies, criminal conspiracy or fraud;
- The cost to the City – including City Attorney costs and the cost of outside counsel – from bringing lawsuits against the banks and financial institutions. This should include any lawsuit regarding foreclosures, illegal swap deals, collusion, or other lawsuits brought by the City of Los Angeles against banks with which the City of Los Angeles does business;
- Any other factors that have increased rates or expenses to the City of Los Angeles.

PRESENTED BY:


RICHARD ALARCÓN
Councilmember, District 7

SECONDED BY:



DEPARTMENT OF RECREATION AND PARKS
TREE IMPACTS OF OCCUPY L.A. AT CITY HALL PARK

Recreation and Parks Forestry Division inspected and inventoried the trees around City Hall on October 17 and 19, 2011. It was found that all but one of the trees are healthy and in good to fair condition. One of the rusty leaf figs has been in decline for many years with sparse foliage and decay. Given that the area is full of Occupy L.A. tents, banners and protesters, our inspection of the lower 4 feet of the trunks and the buttress roots of many of the trees was not possible. Various defects were observed that are common to old trees in high use areas (previous failures, mechanical damage, signs of stress, etc.). Most of the trees on the south lawn have been recently pruned; they are well balanced with open canopies and ample foliage. There are 6 rusty leaf figs directly adjacent to City Hall along Spring Street which have not been recently pruned. These trees appear healthy and well balanced. The larger of the two silk floss trees has been pruned in the past and is recovering slowly. The king palm and redwood are both in fair condition.

Tree roots can extend 2 to 3 times the diameter of the drip line. The drip line consists of the outer edge of the canopy and is considered a critical zone in tree health. Damage within the drip line is considered extremely hazardous to the health of the trees. The protesters have breached this critical protection zone and their impact may be severe to the trees health. Feeder roots are the small fibrous roots that extend well beyond the drip line and are located in the top 18" of soil. These roots absorb water, nutrients and oxygen and are critical for tree health. When the soil gets compacted, the pore space is removed from the soil which prevents water penetration and proper gas exchange causing feeder roots to die. If the roots die, the tree will decline and could possibly become structurally unsound and hazardous.

The impacts of the Occupy L.A. protest are as follows:

No Water:

The City Hall trees have grown accustomed to routine irrigation. The mature trees and palms will not immediately suffer from the lack of irrigation. The redwood, jacarandas and especially the young magnolias are more sensitive to a sudden lack of irrigation. Some of the youngest trees are already showing signs of stress. The damage from lack of irrigation will include leaf drop, branch tip die back, and could possibly lead to decay.

Soil Compaction:

The soil compaction both inside and outside of the drip line of these trees will adversely affect all of the trees beginning with: leaf drop, branch die back, and could possibly lead to death. Stressed trees are more susceptible to secondary attacks from insects and disease. Trees that are stressed have a compromised ability to fend off these attacks and may suffer irreversible damage.

Root Crown Impact:

The protesters are also impacting the root crown of the trees by storing belongings against the trunks and pouring unknown liquids onto the base of the trees. The root crown is where the trunk of the tree interfaces with the soil and is especially sensitive. Damage to these areas may open the trees up to disease and pests. As a result, crown and root rot not only affect the health of the tree causing the tree to decline, they can also affect the structural integrity of the trees creating a potentially hazardous condition.

Mechanical Damage:

By latching tents, canopies, signs and assorted other items to the trunks and branches of the trees, the protesters are potentially damaging the trees by breaking off branches and wounding the trees (mechanical damage). This opens the trees up to insects, diseases, as well possibly affecting the aesthetic value of the trees.

The Ficus and Canary Island palm are most likely the original trees planted at City Hall. Thus, maintaining their health and longevity is of utmost priority. These trees are of extreme historical value and are irreplaceable. The other trees at this facility also have both historical and heritage significance, adding to their value.

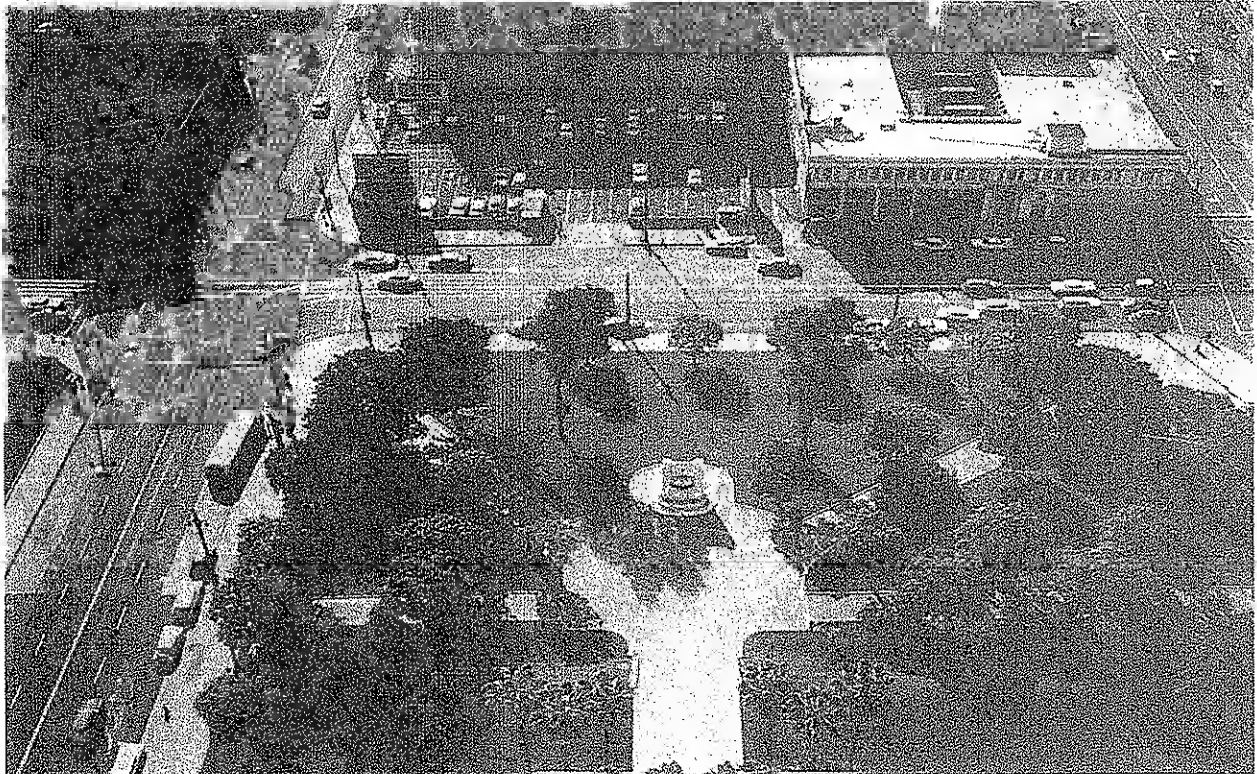
In conclusion; although, it is impossible to predict exactly whether the trees will die due to Occupy L.A., there is no doubt that the trees are being assaulted on many fronts and will be adversely affected compromising their health and causing them to decline. The damage to the trees may not be immediately apparent and may take as long as 2-5 years to manifest.

There are 80 trees total located at City Hall. The species are as follows:

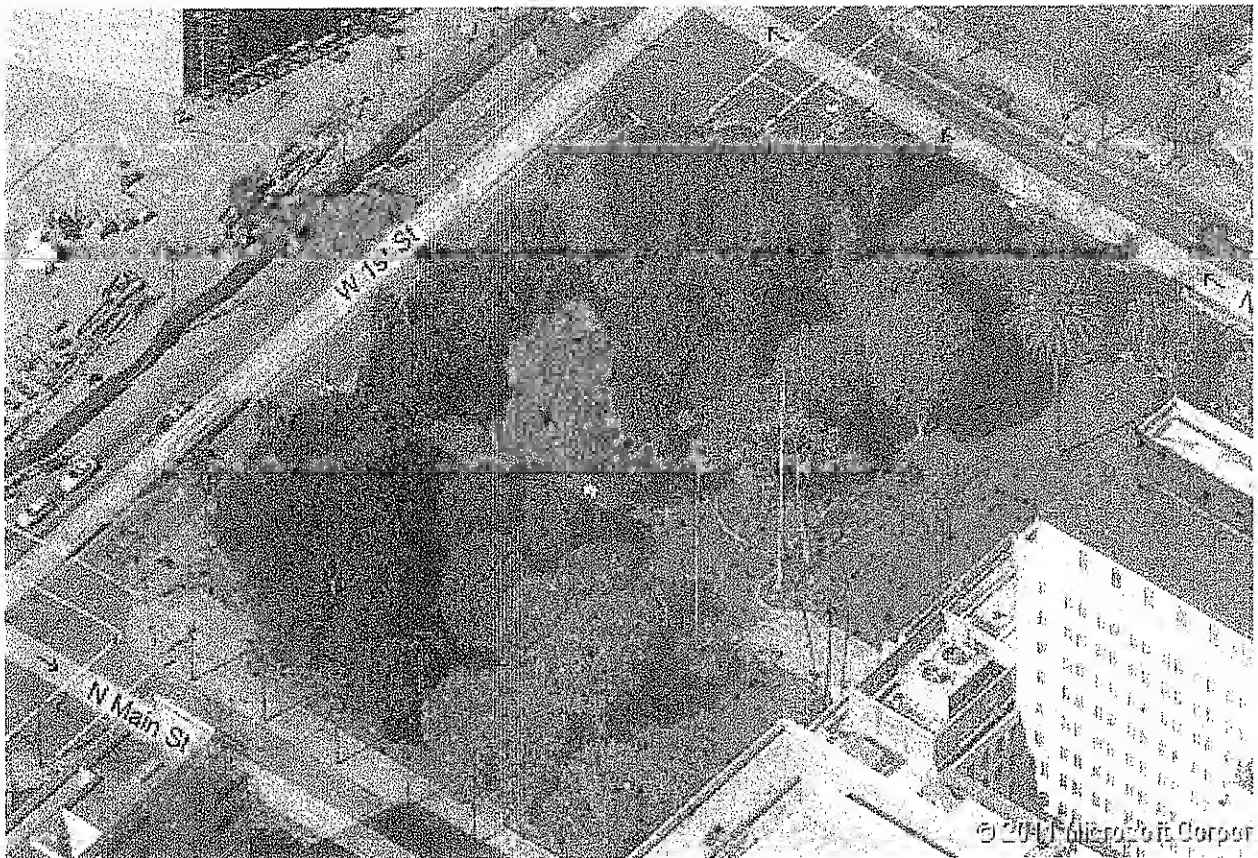
- 29 Mexican Fan Palm (*Washingtonia robusta*)
- 29 Rusty Leaf Fig (*Ficus rubiginosa*)
- 10 Jacaranda (*Jacaranda mimosifolia*)
- 2 Silk Floss Trees (*Ceiba speciosa*)
- 1 Redwood (*Sequoia sempervirens*)
- 1 Canary Island Date Palm (*Phoenix canariensis*)
- 1 King Palm (*Archontophoenix cunninghamiana*)
- 1 Southern Magnolia (*Magnolia grandiflora*)

It is our recommendation, based on the potential loss of these valuable assets, that the Occupy L.A. residents be relocated outside of the root zone of the City Hall trees. This is the only way to avoid irreparable and long term damage to the trees.

DEPARTMENT OF RECREATION AND PARKS
CITY HALL PARK TREE
ASSESSMENT

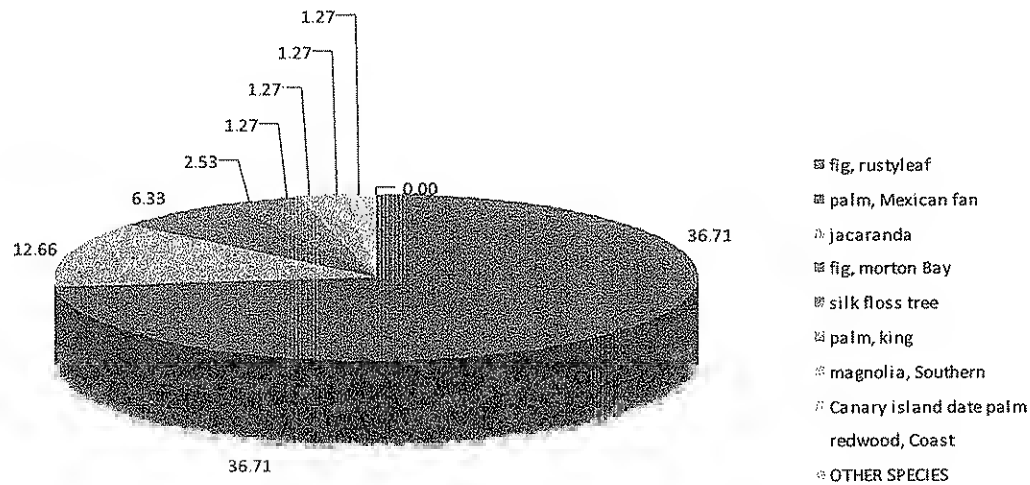


Trees at City Hall Park – Circa 1959



In an effort to establish a baseline for the impacts of Occupy L.A., Recreation and Parks Forestry arborists conducted a comprehensive inspection and inventory of the trees on the grounds of City Hall on October 17 and 19, 2011. The tree inventory data was collected and is stored as part of the Department's tree inventory management system, TreeKeeper 7.7.

Tree Species Distribution: City Hall



Park

There are 80 trees total located at City Hall Park

- 29 - Mexican fan palm (*Washingtonia robusta*)
- 29 - rusty leaf fig (*Ficus rubiginosa*)
- 10 - jacaranda (*Jacaranda mimosifolia*)
- 2 - silk floss (*Ceiba speciosa*)
- 1 - redwood (*Sequoia sempervirens*)
- 1 - Canary Island date palm (*Phoenix canariensis*)
- 1 - king palm (*Archontophoenix cunninghamiana*)
- 1 - southern magnolia (*Magnolia grandiflora*)

Based on these observations, arborists on staff have developed simple recommendations to minimize the short and long term impacts to the City Hall trees caused by Occupy L.A. protestors. Of primary concern is the ramification of soil compaction inside the trees critical root zones. The damage from soil compaction is unavoidable as long as protestors remain camped under the trees.

In order to better understand and appreciate the significance of the trees that grace the grounds of City Hall, an "i-Tree Streets" analysis was conducted. City Hall tree inventory data was sent to Urban Forestry Technical Consultants Davey Resource Group for generation of an "i-Tree Streets" report.

i-Tree is a state-of-the-art, peer-reviewed software suite from the USDA Forest Service that provides urban and community forestry analysis and benefits assessment tools. Developed by USDA Forest Service and numerous cooperators, i-Tree is in the public domain.

i-Tree Streets quantified and qualified the environmental services provided by the City Hall trees. This analysis was conducted by the Davey Resource Group on October 23, 2011.

The results of this "i-Tree" report are summarized as follows:

Storm Water:

Annually, the trees at City Hall reduce storm water runoff by 81,549 gallons.

- They do this by increasing soil infiltration and storage of rainfall through their root systems and minimizing runoff by slowing down the impact of rain drops as they fall through the canopy.
- The value of this service is calculated as \$146.80 per year.

Stored Carbon Dioxide: CO₂

The trees at City Hall will store and sequester 180,003 pounds of CO₂ over their lifespan.

- Trees "lock up" carbon dioxide in their trunks, roots, branches, and leaves.
- Considering the average car generates 11,000 pounds of carbon dioxide each year, the City Hall trees are offsetting the emissions of 16 cars.
- The value of this CO₂ sequestration is calculated to be \$2,700.05 annually.

Annual Avoided Carbon Dioxide:

Annually, the trees at City Hall reduce atmospheric CO₂ through both storage and reductions of emissions from power plants due to reduced energy use by 6,900 pounds.

- By shading and cooling City Hall, these trees reduce heating and air conditioning needs, thereby reducing demands for power.
- The value of this service is \$103 per year.

Air Quality Benefits:

Annually, the City Hall trees provide \$1,976 in air quality improvements.

- City Hall trees annually improve air quality by absorbing 65 pounds of pollutants and intercepting particulates such as ozone nitrogen dioxide, sulfur dioxide, ash and smoke.

Energy Savings:

By insulating City Hall, the trees generate an annual direct cost savings of \$743.24 in reduced utility charges.

- The trees reduce electricity demand by 4.25 mega kilowatt hours. Natural gas demand for heating is reduced by 38.63 therms per year.

Aesthetic Benefits:

City hall trees are estimated to have an annual aesthetic value of \$6,514.

- The value represents the tangible and intangible benefits these trees provide by enhancing the park experience and increasing the property value.

Total Annual Benefit:

Overall, the City has an annual net benefit from the City Hall trees of \$9,484.

- This calculation expresses the cumulative benefits provided by the City Hall trees.

CITY OF LOS ANGELES
DEPARTMENT OF RECREATION AND PARKS
CITY HALL TREE VALUATION REPORT

BOTANICAL NAME	COMMON NAME	TRUNK DIAMETER IN INCHES	APPRAISED VALUE
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	31	\$ 38,810.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	34	\$ 45,939.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 1,750.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	37	\$ 52,766.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	36	\$ 50,524.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 1,750.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	26	\$ 28,375.00
<u>Archontophoenixcunninghamiana</u>	King Palm	11	\$ 1,750.00
<u>Phoenix canariensis</u>	Canary Island Date Palm	30	\$ 3,150.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	24	\$ 24,450.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	24	\$ 24,450.00
<u>Chorisia speciosa</u>	Silk-Floss Tree	31	\$ 38,810.25
<u>Chorisia speciosa</u>	Silk-Floss Tree	24	\$ 24,450.00
<u>Sequoia sempervirens</u>	Coast Redwood	15	\$ 10,673.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	27	\$ 30,455.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	42	\$ 63,475.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	20	\$ 17,542.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	28	\$ 32,614.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	24	\$ 24,450.00

BOTANICAL NAME	COMMON NAME	INCHES	APPRAISED VALUE
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	31	\$ 38,810.25
<u>Ficusmacrophylla</u>	Moreton-Bay Fig	22	\$ 20,839.00
<u>Jacaranda mimosifolia</u>	Jacaranda	19	\$ 16,011.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	26	\$ 28,375.00
<u>Jacaranda mimosifolia</u>	Jacaranda	19	\$ 16,011.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	41	\$ 61,400.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	24	\$ 24,450.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	28	\$ 32,614.00
<u>Ficusmacrophylla</u>	Moreton-Bay Fig	45	\$ 69,498.25
<u>Ficusmacrophylla</u>	Moreton-Bay Fig	66	\$ 103,219.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	24	\$ 24,450.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	29	\$ 34,851.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	27	\$ 30,455.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	29	\$ 34,851.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 3,150.00
<u>Jacaranda mimosifolia</u>	Jacaranda	25	\$ 26,373.25
<u>Ficusmacrophylla</u>	Moreton-Bay Fig	42	\$ 63,475.00
<u>Ficusmacrophylla</u>	Moreton-Bay Fig	41	\$ 61,400.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	36	\$ 50,524.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	50	\$ 78,867.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	36	\$ 50,524.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	38	\$ 54,975.00
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	31	\$ 38,810.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	31	\$ 38,810.25
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00
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<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	22	\$ 20,839.00
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Ficusrubiginosa</u>	Rusty-Leaf Fig	31	\$ 38,810.25
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25

BOTANICAL NAME	COMMON NAME	TRUNK DIAMETER IN INCHES	APPRAISED VALUE
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Jacaranda mimosifolia</u>	Jacaranda	9	\$ 5,021.25
<u>Magnolia grandiflora</u>	Southern Magnolia	3	\$ 2,195.25
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 3,150.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 3,150.00
<u>Washingtoniarobusta</u>	Mexican Fan Palm	16	\$ 2,250.00

TOTAL APPRAISED VALUE \$ 1,676,222.50



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
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TERRI S. WILLIAMS, REHS
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www.publichealth.lacounty.gov



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Michael D. Antonovich
Fifth District

October 27, 2011

Gaye Williams, Chief of Staff
Office of the Mayor
City of Los Angeles
200 N. Spring Street, Room 303
Los Angeles, CA 90012

Dear Ms. Williams:

This is to summarize the areas that we are focusing on with regard to conditions at Occupy LA, and our experience in resolving issues with the organizers. In order to ensure the protection of public health, our focus areas include toilets, wastewater disposal, refuse/debris, food safety, personal hygiene, and drinking water. Below is a brief description of our findings in each of these areas.

Toilets

Our standard is to ensure an adequate number of toilet facilities are available to service the occupants. Our standard is based on 8 to 12 toilets for a public gathering of 500 to 1,000 occupants. There have been approximately 8 portable toilets, which is adequate to service the number of occupants at the event so far. We have also found that the toilets have been serviced and maintained as necessary. Occasionally, we have observed deficiencies, but they were resolved timely when brought to the attention of the organizers.

Wastewater Disposal

Our standard is to ensure that the wastewater from any source, including wastewater from the previous temporary showers, is properly disposed, either to a sewer connection or collection tank. As you may know, portable shower units are not presently located on the site.

Refuse/Debris

Our standard is to ensure that an adequate number of trash receptacles are provided, sufficient to maintain the property litter and trash free at all times. We have generally found the area to be properly maintained, and provided with an adequate number of receptacles that are regularly serviced by the City of Los Angeles Bureau of Sanitation.

Food Safety

Our standard is to ensure that food is protected from contamination, and that it is properly handled, delivered, and served to the occupants. Permitted food facilities are providing meals to the occupants. A certified food handler is providing oversight of food handling, transportation, and distribution of food to the occupants. There have been occasional lapses related to food preparation, which have been corrected when brought to the attention of the organizers.

Personal Hygiene

Our standard is to ensure adequate hand wash facilities that may be utilized for those exiting the toilets, and that hand wash facilities are available to those involved in food handling. Occasionally, we have found hand wash facilities lacking soap and/or water; these conditions have been corrected when brought to the attention of the organizers.

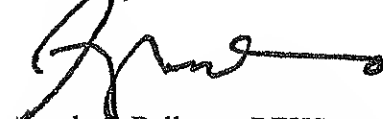
Drinking Water

Our standard is to have a minimum supply of two liters of drinking water per day per occupant. We have found that bottled water is in adequate supply for the occupants.

We will continue to monitor conditions on a daily basis, assess potential risk to public health, and update the City on any new developments identified during our inspections.

If you should have any questions, please let me know.

Sincerely,



Angelo J. Bellomo, REHS
Director of Environmental Health

AJB:dc

- c: Jonathan E. Fielding, M.D., M.P.H., Director of Public Health and Health Officer
Jonathan E. Freedman, Chief Deputy Director, Department of Public Health
Terri S. Williams, Assistant Director of Environmental Health
Rose Anne Rodriguez, Director, External Relations and Communications
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-2-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin, EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	X		X
2. Trash and Debris	X		X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene	X		X
6. Waste Water	X		X
7. Other			X

1.	<p>13 New chemical toilets (20 total, including 2 handicap units) and three 2-bay portable hand wash stations (complete with water tank, waste tank, soap, and paper towels) have been provided, as follows:</p> <p>West side – centrally located: Original seven toilets and one new hand wash station.</p> <p>S/W corner – six new toilets and one hand wash station.</p> <p>S/E corner – seven new toilets and one hand wash station.</p> <p>All chemical toilets were adequately supplied with soap, water, paper towels, and toilet paper, with the exception of the new toilets located at S/W corner in which all toilet paper had been stolen. New toilet paper roles were immediately provided in said units by Andrew Lawrence.</p> <p>All hand wash stations were supplied with water, soap, and paper towels.</p> <p>Maintenance and service by National Construction has been cut to two days per week (Mondays and Fridays), with daily maintenance to be done by OccupyLA participants. Concern was expressed that two days/week is not adequate, especially relative to the water and waste tanks. The concern was acknowledged and they are open to increasing the Nat'l Construction services if problems arise.</p>
2.	<p>The grounds were relatively clean and free from trash and debris.</p> <p>No trash receptacles were overflowing.</p> <p>The lid of one trash dumpster was open; but, upon notification, was closed.</p>
3.	<p>No violations observed at time of inspection.</p> <p>Adequately supplied hand washing facilities were in place.</p> <p>Copy of CFH card was provided for Erica Henderson, one of the new food handlers mentioned in last report.</p>
4.	<p>Drinking water was available for the participants via bulk water dispensing containers.</p> <p>No individual bottles of water were available because no one had made a water donation.</p>
5.	<p>No showers were observed.</p> <p>The auxiliary hand washing facilities for general use by the participants was present and fully supplied.</p>
6.	<p>No waste water was being discharged or discarded onto the ground surface or into storm drains at time of inspection.</p>
7.	<p>The participants who have children have their tents set up in a circle on the South side of City Hall (North side of the side walk) in an area designated as "Kid's Place". According to Andrew Lawrence, children are gone during the day because the parents work.</p>



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA Van Nuys	DATE:	11-02-2011
SITE NAME:	Van Nuys Civic Center	EHS:	William Ross, Chief EHS
SITE ADDRESS:	14410 Sylvan Street., Van Nuys, 91405	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:	N/A		

1.	No public gathering / tents observed.
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	Occupy LA LAUSD	DATE:	11-02-2011
SITE NAME:	LAUSD	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:	333 South Beaudry Ave. Los Angeles, CA. 90017	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:			

1.	No public gathering activity observed
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	Occupy LA USC	DATE:	11-02-2011
SITE NAME:	U.S.C. Campus /Surrounding Areas, Los Angeles	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:		EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:			

1.	No public gathering activity observed
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-16-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	Gary Hirschtick, Chief Singh Gawara, EHSS

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene	X		X
6. Waste Water	X		X
7. Other			

1.	Many of the chemical toilet facilities were void of toilet paper and paper towels, one unit was void of soap, and several were unclean with toilet paper and seat cover remnants scattered inside. Notice of Violation issued by Caryn Brown-Franklin, EHSS; signed and received by Ruben Escobedo
2.	Grounds were relatively clean and free from trash, debris, and putrescible matter; however, several of the trash receptacles had their lids open. Notice of Violation issued by Caryn Brown-Franklin, EHSS; signed and received by Ruben Escobedo.
3.	No Violations observed at time of inspection. Hand washing facilities were in place.
4.	Drinking water was available for the participants via individual bottles of water.
5.	No violations observed at the time of inspection. The auxiliary hand washing facilities for general use by the participants were present and supplied with adequate soap, water, and paper towels.
6.	No waste water was being discharged or discarded onto the ground surface or into storm drains at the time of inspection.
7.	



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-16-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	Gary Hirschtick, Chief Singh Gawara, EHSS

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene	X		X
6. Waste Water	X		X
7. Other			

1.	Many of the chemical toilet facilities were void of toilet paper and paper towels, one unit was void of soap, and several were unclean with toilet paper and seat cover remnants scattered inside. Notice of Violation issued by Caryn Brown-Franklin, EHSS; signed and received by Ruben Escobedo
2.	Grounds were relatively clean and free from trash, debris, and putrescible matter; however, several of the trash receptacles had their lids open. Notice of Violation issued by Caryn Brown-Franklin, EHSS; signed and received by Ruben Escobedo.
3.	No Violations observed at time of inspection. Hand washing facilities were in place.
4.	Drinking water was available for the participants via individual bottles of water.
5.	No violations observed at the time of inspection. The auxiliary hand washing facilities for general use by the participants were present and supplied with adequate soap, water, and paper towels.
6.	No waste water was being discharged or discarded onto the ground surface or into storm drains at the time of inspection.
7.	



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-15-2011
SITE NAME:	Los Angeles City Hall	EHS:	Lena Auyeung, EHS II
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene	X		X
6. Waste Water	X		X
7. Other			

1.	<p>All chemical toilet facilities, except one, were stocked with toilet paper, water, soap, and paper towels, and maintained clean, sanitary, and in good working condition. The one unit was missing toilet paper.</p> <p>Notice of Violation issued by Lena Auyeung , EHS II and received by Andrew Lawrence.</p>
2.	<p>Grounds were relatively clean and free from trash, debris, and putrescible matter, except for a few areas along the West side of City Hall. Also observed a dog dropping on the West side of City Hall, South of the entrance.</p> <p>No trash receptacles were overflowing.</p> <p>One trash receptacle had its lid open.</p> <p>Notice of Violation issued by Lena Auyeung, EHS II; signed and received by Andrew Lawrence.</p>
3.	<p>No Violations observed at time of inspection.</p> <p>Food Tent was closed at time of inspection.</p>
4.	<p>Drinking water was available for the participants via individual bottles of water.</p>
5.	<p>No showers were observed.</p> <p>The auxiliary hand washing facilities for general use by the participants was present and supplied with adequate soap, water, and paper towels.</p>
6.	<p>No waste water was being discharged/discarded onto the ground surface or into storm drains at time of inspection.</p>
7.	



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA Van Nuys	DATE:	11-15-2011
SITE NAME:	Van Nuys Civic Center	EHS:	William Ross, CEHS
SITE ADDRESS:	14410 Sylvan Street., Van Nuys, 91405	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:	N/A		

1.	No public gathering / tents observed.
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	Occupy LA USC	DATE:	11-15-2011
SITE NAME:	U.S.C. Campus /Surrounding Areas, Los Angeles	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:		EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:			

1.	No public gathering activity observed
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ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	Occupy LA LAUSD	DATE:	11-15-2011
SITE NAME:	LAUSD	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:	333 South Beaudry Ave. Los Angeles, CA. 90017	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:			

1.	No public gathering activity observed
2.	
3.	
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6.	
7.	



Jamie Obal <jamie.obal@lacity.org>

Fwd: Update November 15, 2011 OccupyLA (Tent City) and Expansion

gaye williams <gaye.williams@lacity.org>

Wed, Nov 16, 2011 at 4:55 PM

To: Jamie Obal <jamie.obal@lacity.org>

Please print yesterday's for me.

----- Forwarded message -----

From: Nick Brakband <nbrakband@ph.lacounty.gov>

Date: Tue, Nov 15, 2011 at 12:16 PM

Subject: Update November 15, 2011 OccupyLA (Tent City) and Expansion

To: Gaye Williams <gaye.williams@lacity.org>

Cc: Angelo Bellomo <abellomo@ph.lacounty.gov>, Dolores Chavez <dchavez@ph.lacounty.gov>, Jacqueline Taylor <jactaylor@ph.lacounty.gov>, Lucy MacDonald <lmacdonald@ph.lacounty.gov>, Obi Ogamba <oogamba@ph.lacounty.gov>, Terri Williams <twilliams@ph.lacounty.gov>, Veronica Bauchman <vbauchman@ph.lacounty.gov>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 15, 2011. Please find reports attached.

Los Angeles City Hall: Minor violations in two categories were observed. A Notice of Violation was issued.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Lucy MacDonald 11/14/2011 1:01 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 11-14, 2011. Please find reports attached.

Los Angeles City Hall: Not meeting all categories of general sanitation standards. Notices of Violation have been issued. Participant leaders have been reminded to conduct self inspections and resolve issues prior to receiving notice from the Environmental Health Specialist.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/10/2011 3:09 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 10, 2011. Please find reports attached.

Los Angeles City Hall: Not meeting all categories of general sanitation standards. A Notice of Violation issued. Participant leaders have been reminded to conduct self inspections and resolve issues prior to receiving notice from the Environmental Health Specialist.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/9/2011 2:54 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 9, 2011. Please find reports attached.

Los Angeles City Hall: Not meeting general sanitation standards. Notices of Violation issued.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/8/2011 4:12 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 8, 2011. Please find reports attached.

Los Angeles City Hall: Not meeting all categories of general sanitation standards. A Notice of Violation issued.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Lucy MacDonald 11/7/2011 12:51 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 7, 2011. Please find reports attached.

Los Angeles City Hall: Meeting general sanitation standards.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/4/2011 5:02 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 4, 2011. Please find reports attached.

Los Angeles City Hall: Meeting general sanitation standards. (Update to 11/3/11 and report for 11/4/11)

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/4/2011 2:09 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 3, 2011. Please find reports attached.

Los Angeles City Hall: Meeting general sanitation standards.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

Also this morning, November 4, 2011, St. Francis Center was inspected. The facility was found to be in approved operating condition. Staff met with Jose Ramirez, Chief Operational Officer who stated that St. Francis Center provided access to their kitchen on October 21, 2011 and November 2, 2011 to OccupyLA volunteers to prepare their own food from 12:00 PM to 4:30 PM. OccupyLA volunteers used their own vehicle to transport food to the designated location. He indicated that St. Francis Center is a community based organization that verbally allowed OccupyLA volunteers to use the kitchen and that their staff did not provide

food, and were not involved at the service location. Please note that OccupyLA volunteers are certified food handlers.

If you have any questions, please let us know.

>>> Nick Brakband 11/3/2011 10:38 AM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 2, 2011. Please find reports attached.

Los Angeles City Hall: Meeting general sanitation standards.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/2/2011 2:55 PM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for November 1, 2011. Please find reports attached.

Los Angeles City Hall: Meeting general sanitation standards.

Van Nuys: No public gathering or tents observed.

USC: No public gathering or tents observed.

LAUSD: No public gathering or tents observed.

>>> Nick Brakband 11/1/2011 11:53 AM >>>

This is to provide an update regarding OccupyLA and the possible expansion sites for October 31, 2011.

Los Angeles City Hall: Meeting general sanitation standards. Please see report attached.

Van Nuys: No public gathering or tents reported. Report attached.

U.S.C., and LAUSD buildings and the surrounding areas:

No public gatherings or tents observed. Please see the information below and reports attached.

On Monday, October 31, 2011, Gary Hirschtick, Chief EHS for the Mid City Office conducted a survey of the area around the University of Southern California campus, from Jefferson Boulevard (on the North side) to Exposition Boulevard (on the South side), and Figueroa Boulevard (on the East side) to Vermont Avenue (on the West side). No public gatherings or tents were observed.

Mr. Hirschtick met with David Carlisle, Captain, Department of Public Safety. Captain Carlisle indicated that no tents or public gathering activities were conducted over the weekend. Captain Carlisle stated that he would notify the Mid City office if/when any activities occur.

Staff also surveyed the area around the LAUSD building, from Beaudry Avenue (on the East side) to Lucas Avenue (on the West side), and from 2nd Street (on the North side) to 6th Street (on the South side). No public gatherings or tents were observed.

>>> Lucy MacDonald 10/31/2011 2:10 PM >>>

I apologize, the first two attachments were blank on the previous e-mail.

>>> Lucy MacDonald 10/31/2011 12:28 PM >>>

This is to provide an update regarding OccupyLA and Expansion to Van Nuys for October 29-30, 2011 (LAUSD and USC area will be survey today).

No major violations observed at OccupyLA, Los Angeles City Hall. Please see reports attached.

OccupyLA Expansion to Van Nuys:

No Occupy LA demonstrators/activity nor violations observed. Please refer to summary below and reports attached.

On October 29, 2011 William Ross, CEHS conducted survey of OccupyLA Expansion located at Van Nuys Civic Center 14410 Sylvan St., Van Nuys, 91405, from 10:00 a.m. to 3:00 p.m. No violations were observed at time of inspection. A small group of speakers about 20-40 individuals were observed during the survey. Per LAPD, the area where speakers were observed (a common area between the court buildings) closes at 7:00 p.m. daily and will be enforced.

On October 30, 2011 William Ross, CEHS conducted survey of OccupyLA Expansion located at Van Nuys Civic Center 14410 Sylvan St., Van Nuys, 91405, from 10:00 a.m. to 12:30 p.m. No Occupy LA demonstrators/activity observed throughout common area between the court buildings. No violations were observed at time inspection. Please see reports attached.

>>> Nick Brakband 10/28/2011 3:14 PM >>>

This is to provide an update regarding OccupyLA for October 27, 2011. Please see report attached. Arrangements have been made to survey potential new sites in Van Nuys, LAUSD, and USC.

>>> Lucy MacDonald 10/27/2011 9:28 AM >>>

This is to provide an update regarding OccupyLA for October 26, 2011. Please see report attached.

>>> Lucy MacDonald 10/26/2011 11:39 AM >>>

This is to provide an update regarding OccupyLA for October 25, 2011. Please see report attached.

>>> Nick Brakband 10/25/2011 9:26 AM >>>

This is to provide an update regarding OccupyLA for October 24, 2011. Please see report attached.

>>> Lucy MacDonald 10/24/2011 11:32 AM >>>

This is to provide an update regarding OccupyLA for October 22-23, 2011. Please see report and photographs attached.

>>> Nick Brakband 10/21/2011 1:38 PM >>>

This is to provide an update regarding OccupyLA for October 21, 2011. Please see the newly developed report attached as well as an updated contact list.

>>> Nick Brakband 10/20/2011 2:18 PM >>>

On October 19 and 20, 2011 Caryn Brown-Franklin, EHSS conducted the ongoing survey of OccupyLA located at Los Angeles City Hall, 200 N. Spring St., LA. 90012. The general sanitation of the premises remains relatively unchanged with the following observations and updated information:

- The chemical toilets were supplied with soap, water, paper towels, and toilet paper. On Thursday, October 20th, two of the toilets were missing soap, but this was remedied within 10 minutes. Back-up hand washing facilities, consisting of a table with water, soap, sanitizer, and paper towels, was set up adjacent to the chemical toilets.
- Clark Davis is putting together a cleaning and maintenance schedule for the chemical toilets to check them regularly and to ensure they are fully stocked. An order for four additional chemical toilets has been placed.
- Trash bin lids were observed to be securely closed and the grounds free from accumulation of trash and debris.
- It was verified that the food handlers are encouraged to use the toilet facilities located in East City Hall

instead of the chemical toilets. Officer Ruiz at the front desk of East City Hall indicated that the East City Hall toilet and hand washing facilities have been approved for use by OccupyLA participants and the homeless. The facilities are maintained clean and fully supplied.

- Food handlers wash their hands prior to commencing work in the food tent at a designated hand-washing station within the food tent.
- Further guidance was provided to Clair Moss and Michele Watson regarding safe food handling and sanitation practices. Food handlers wear hair nets and gloves when dispensing food. Advised to take food temperatures upon receipt of the food and to disinfect the probe in between. Alcohol swabs are on site but Michele could not produce the thermometer at the time; Will check for it Friday 10/21/11. Proper Food Holding Temperatures were again discussed and another copy of the holding chart was given to Michele Watson, along with another copy of a Cal Code excerpt from the Food Training flier. Advised that all donated foods are to be from an approved permitted food facility and should be at approved temperatures, below 41°F or above 135°F, when received.
- On October 20th, the food tent was closed due to the relocation efforts (to N/E corner of West City Hall). This will locate them closer to the East City Hall toilet facilities.

Please find an OccupyLA contact list attached.

If you have any questions, please contact Obi Ogamba at 213 761-0947.

>>> Nick Brakband 10/19/2011 1:29 PM >>>

This is an update to the report below. The first two items were observed to be corrected today.

>>> Nick Brakband 10/19/2011 10:52 AM >>>

On October 18, 2011 Caryn Brown-Franklin, EHSS and Lena Auyeung conducted the ongoing survey of OccupyLA located at Los Angeles City Hall, 200 N. Spring St., LA. 90012. The general sanitation of the premises remains relatively unchanged with the following observations and updated information:

- All seven of the chemical toilets were missing soap, paper towels, and/or toilet paper. Spoke with Clark Davis, one of the principle organizers, who immediately called National Construction Rentals to come and service the toilets. Food handlers are using the restroom in the City Hall until the supplies arrive. EH will check for compliance today, 10/19/2011. CORRECTED/ABATED
- Observed the lids of the trash and recycle bins left open and flies inside. Spoke with Clark Davis and advised him of the importance of monitoring the lids to ensure they stay closed. EH will check for compliance today, 10/19/2011 CORRECTED/ABATED
- Discussed means to decrease the possibility of transmitting bed bugs, fleas, etc.
- Discussed with Mr. Davis of the possibility of relocating the make-shift shower so the waste water drains into a city drain. Observed a city floor drain on the walkway adjacent to shower. Mr. Davis is to consult with the City regarding this issue.
- Solar panels are now installed and functioning.
- Mr. Davis stated their goal is to operate OccupyLA as a sustainable, organized, efficient program and wants to ensure compliance with all local laws and ordinances. Nightly general assembly meetings are held on the South side of City Hall between 7:30 -9:30 p.m. During these meetings information, such as good sanitation practices, keeping trash lids closed, picking up after dogs, washing hands, etc. is shared. During the meeting, the purpose and goals of OccupyLA and the next steps are also discussed.
- Met with Heidi Sulzdorf, Food Tent volunteer. Cell: 734-330-0426 heidi.sulzdorf@gmail.com. She stated that

the Food Tent will be relocating to the N/E corner. She confirmed that they have obtained access to the approved/permitted St. Francis Center kitchen. All food donations are being sent to St. Francis Center where they have designated dry storage space and cold storage. They will prepare foods at this site daily between 12:00-4:00 p.m. All foods stored in the food tent will be prepackaged non-PHF food items that will be stored in a large fully enclosed lockable storage container. The plan is to prepare the foods at St. Francis Center and immediately transport them to the Food Tent where the PHF hot/cold foods will be portioned into individual servings in disposable containers and dispersed immediately. Upon dispensing all foods (which Ms. Sulzdorf says will take less than one hour), the pots/pans/utensils used in dispensing will be returned to St. Francis Center for cleaning and sanitizing.

- Ms. Sulzdorf was provided with a copy of the Food Temperature Holding Chart, Cal Code excerpt regarding Temporary Food Facility requirements, and the recently disseminated Food Handling Training flyer for the Spanish and English classes being conducted in November.
- Discussed with Ms. Sulzdorf proper food handling and holding temperatures and the maximum allowable time for distribution before PHF food would have to be discarded (according to Food Temperature Holding Chart). Advised her to provide an on-site probe thermometer to monitor food temperatures. She acknowledged and agreed. Ms. Sulzdorf indicated that all the food handlers will be obtaining a Certified Food Handler Card, even though it is not required.
- According to Clair Moss of the finance committee, the incorporation of OccupyLA should be completed by the end of the week, at which time we can issue a Community Event Temporary Food Facility Permit

If you have any questions, please contact Obi Ogamba at 213 761-0947.

>>> Lucy MacDonald 10/17/2011 1:01 PM >>>

This is to provide an update regarding OccupyLA:

As per a discussion with Obi Ogamba, area manager, inspectors were instructed to ask event organizers to limit the preparation of sandwiches on site to avoid food borne illness as there are no ware-washing or hand sinks available at this event.

Michelle Watson, manager of OccupyLA coordinated with four approved non-profit organizations; St. Francis Mission, Union Rescue Mission, Midnight kitchen and Fred Jordan's Mission, which accepted to provide meals including sandwiches.

Mr. Ogamba, suggested that Ms. Watson also contact the LA Food Bank as another food source for the event.

Lucy MacDonald, EHSS
L.A. County Environmental Health
Bureau of District Surveillance and Enforcement
5050 Commerce Dr. 2nd Floor
Baldwin Park CA. 91706
(626) 430-5214
lmacdonald@lacounty.gov

>>> Lucy MacDonald 10/17/2011 11:07 AM >>>

Good morning,

This is to provide an update of OccupyLA (this is what the event is called and will be incorporating as such).

On October 15, 2011 Lena Auyeung, EHS II, conducted a survey of City Hall OccupyLA at approximately 6:30 p.m. No violations were observed at time of the inspection, and all food service had finished for the evening.

On October 16, 2011 Lena Auyeung, EHS II, conducted a survey of City Hall OccupyLA at approximately 11:30 a.m. The following observations made:

Several portable toilet stalls did not have toilet paper. Advised volunteers at the Welcome Tent to replenish, which he did immediately. Lawn area appeared clean. Trash and recycle bins were present and not overflowing. Food tent was only providing prepackaged foods (bananas, prepackaged peaches, granola bars, and energy bars) no violations observed.

On October 17, 2011, Caryn Brown-Franklin, EHSS, conducted a survey of City Hall OccupyLA at approximately 7:30 a.m. Observed the following:

All food in Food Tent was packaged and sealed. However, observed bags of loaves of bread. Per Luis, who was in charge at the time, they make Peanut Butter and Jelly Sandwiches. Advised him that they are approved for prepackaged foods only and cannot be making sandwiches. He agreed. Will follow up with a phone call to the Food Tent Manager, Michele Watson. Observed new shower at the S/E corner of City Hall property. Shower consists of a single tall tent with bag of water and hose. Waste water drains onto lawn. Will keep monitoring to ensure no standing water. All trash receptacles had already been emptied. Chemical toilets had been maintained.

Lucy MacDonald, EHSS

L.A. County Environmental Health

Bureau of District Surveillance and Enforcement

5050 Commerce Dr. 2nd Floor

Baldwin Park CA. 91706

(626) 430-5214

—
Gaye Williams

Chief of Staff

Mayor Antonio R. Villaraigosa

200 N. Spring Street, Room 303

Los Angeles, CA 90012

(213) 922-9736 Office

(213) 978-0727 Fax



What you can do for your City!

4 attachments



11-15-11 OccupyLA inspection report.docx

378K



11-15-11 OccupyLA Van Nuys report.docx

377K



11-15-11 OccupyLA USC report.doc

409K



11-15-11 OccupyLA LAUSD inspection report.doc

409K



ENVIRONMENTAL HEALTH INCIDENT SUMMARY OF INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	10-31-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin, EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	X		
2. Trash and Debris	X		
3. Food Safety	X		
4. Drinking Water	X		
5. Personal Hygiene	X		
6. Waste Water	X		
7. Other			

INCIDENT NAME:	OccupyLA	DATE:	10-31-2011
SITE NAME:	LAUSD	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:	333 South Beaudry Ave. Los Angeles, CA. 90017	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other:	X		X

No public gathering activity observed

INCIDENT NAME:	OccupyLA	DATE:	10-31-2011
SITE NAME:	U.S.C. Campus /Surrounding Areas, Los Angeles	EHS:	Gary Hirschtick, Chief EHS
SITE ADDRESS:		EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other	X		X

No public gathering activity observed

INCIDENT NAME:	OccupyLA Van Nuys	DATE:	10-31-2011
SITE NAME:	Van Nuys Civic Center	EHS:	William Ross, Chief EHS
SITE ADDRESS:	14410 Sylvan Street., Van Nuys, 91405	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets	N/A		
2. Trash and Debris	N/A		
3. Food Safety	N/A		
4. Drinking Water	N/A		
5. Personal Hygiene	N/A		
6. Waste Water	N/A		
7. Other: See Comment	X		X
Per Luis Sanchez City of Los Angeles Neighbor Services. No Occupy LA / Van Nuys demonstrators/ activity for 10/31/11. On November 1, 2011 a site visit will be conducted.			



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-8-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin, EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene	X		X
6. Waste Water	X		X
7. Other			X

1.	<p>Most chemical toilets were void of one or more of the following: soap, paper towels, and/or toilet paper. One urinal appeared to be clogged. All hand wash stations were adequately supplied with water, soap, and paper towels.</p> <p>A Notice of Violation was issued and given to Mario Jefferson.</p>
2.	<p>Trash was observed around chemical toilets located closest to the N/W corner. Trash dumpster located at S/W corner was overflowing and both lids open.</p> <p>A Notice of Violation was issued and given to Mario Jefferson.</p>
3.	<p>No violations observed at the time of inspection. No food service at time of inspection. Hand washing facilities were present and fully supplied. All food was stored off the ground surface.</p>
4.	<p>Drinking water was available for the participants via individual bottles and bulk water dispensing containers.</p>
5.	<p>No showers were observed. The auxiliary hand washing facilities for general use by the participants were fully supplied.</p>
6.	<p>No waste water was being discharged or discarded onto the ground surface or into storm drains at time of inspection.</p>
7.	<p>The issuance of an official Notice of Violation has caused the opinion of the participants to change towards the Health Department and the health officer. They have voiced anger, dissension, and hostility directly towards the health officer and have become less cooperative. Staff made contact with on-site command post police officers to ensure they will be available to keep the peace. Police officers have confirmed that they are in constant surveillance of the site and would respond to assist the health officer at a moments notice.</p>



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-9-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin, EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	Robert Flores & Pedro Gutierrez, Vector Control

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene		X	X
6. Waste Water		X	X
7. Other		X	X

1.	<p>Most chemical toilets were void of one or more of the following: Water, soap, paper towels, and/or toilet paper. Hand wash stations were void of one or more of the following: Water, soap, and/or paper towels. National Construction was on site. By the end of inspection, all toilets and hand wash units had been serviced. Observed the waste water run-off from hosing down the toilet fixtures flowing onto the ground surface to the storm drain and catch basin. Also observed trash and food debris under the toilet fixtures. Upon request, Carlos, the National Construction representative, flushed out trash from underneath. According to Carlos, for an extra fee, a plastic waste water collector can be implemented during servicing, in which the waste water is collected and then sucked into their tank.</p> <p>Discussed with Clark Davis and Darren Danks (213) 984-8005, both from Media Committee, Jeremy Drake (213) 359-8204, Zero Waste Committee, and Brian Masterson (no phone), Finance Committee the need to increase National Construction service days and to implement the waste water collector.</p> <p>Notice of Violation issued. Signed and received by Darren Danks.</p>
2.	<p>Trash and putrecible matter was observed under the chemical toilets and in the foliage landscape. Fecal matter and urine was observed in the foliage. Trash dumpsters were empty and lids closed.</p> <p>Discussed with Clark Davis, Darren Danks, Jeremy Drake, and Brian Masterson the need to ensure participants utilize the chemical toilets and discard trash into trash receptacles.</p> <p>Notice of Violation issued. Signed and received by Darren Danks. A second Notice was issued. Signed, Clark Davis.</p>
3.	<p>No violations observed at the time of inspection. Hand washing facilities were present and fully supplied. Spoke with Dave Squires, the new Food Tent manager 818-220-0761. According to Mr. Squires, Michele Watson is no longer involved with the Food Tent. Also, according to Mr. Squires, there is no food preparation by OccupyLA participants occurring at any food facility, at this time; only prepackaged non-potentially hazardous foods are served. Mr. Squires understands food must be received at proper temperatures from an approved food facility, if they do receive any. She also understands that the food shall be labeled as to the time it was removed from the heat or cold source, and labeled with the time that is four hours past; at which point the food shall be discarded. Additional copies of Cal-Code excerpts regarding time as a public health control, Temporary Food Facilities, and definition of food preparation were provided to Mr. Squires.</p>
4.	<p>Drinking water was available for the participants via individual bottles and bulk water dispensing containers.</p>
5.	<p>Hand wash stations were void of one or more of the following: water, soap, and paper towels. National Construction was present at time of inspection servicing the stations; Notice issued – see category 1 above for more details.</p>
6.	<p>Waste water was flowing onto the ground surface and into storm drains; Notice issued – see category 1 above for more details.</p>

7. Inspection was conducted jointly with Robert Flores (213) 471-3273 and Pedro Gutierrez from EH Vector Control. They observed evidence of fly breeding in the catch basins and in the foliage. At this time, they did not observe any evidence of a rodent infestation. Inspector Flores is to make a referral to Street Maintenance to clean the catch basins.
- A food plant garden has been started, hidden in the foliage behind the media tent. This garden was brought to the attention of Lieutenant Payan who will look into having it removed because the police have already informed OccupyLA that they were not allowed to plant a garden.
- Sarah Kissell's contact information was provided to the media tent, as requested.



ENVIRONMENTAL HEALTH INCIDENT INSPECTIONS REPORT

INCIDENT NAME:	OccupyLA	DATE:	11-10-2011
SITE NAME:	Los Angeles City Hall	EHS:	Caryn Brown-Franklin, EHSS
SITE ADDRESS:	200 N. Spring St., LA. 90012	EHS:	

	Meets Standards	Does Not Meet	Comments Below
1. Sanitation; Toilets		X	X
2. Trash and Debris		X	X
3. Food Safety	X		X
4. Drinking Water	X		X
5. Personal Hygiene		X	X
6. Waste Water	X		X
7. Other			X

1.	<p>Most chemical toilets were clean, sanitary, in good repair, and fully supplied; however, the urinal in one unit was clogged, two were dirty, and one was missing soap. A participant named Mike attempted to unclog the urinal but was unable to before the inspection was completed.</p> <p>Notice of Violation issue by EHS. Signed and received by Clark Davis.</p>
2.	<p>The grounds are relatively free of trash and debris, however, trash (paper litter) and putrescible matter (ie orange peels, apple cores) were observed in the foliage landscape and several areas of the camp. Did not observe any fecal matter at the time of the inspection. The lids of the trash dumpsters were closed.</p> <p>Notice of Violation issue by EHS. Signed and received by Clark Davis.</p>
3.	<p>The waste water catch basins under the hand wash stations were mixed with food and trash waste. Upon request, Dave Squires, Food Tent Manager, separated out the trash and food and discarded it into a trash receptacle and then discarded the waste water into a chemical toilet.</p> <p>No other violations were observed at the time of inspection. Hand washing facilities were present and fully supplied.</p>
4.	<p>Drinking water was available for the participants via individual bottles and bulk water dispensing containers.</p>
5.	<p>Hand wash units were fully supplied with soap, water, and paper towels and, with the exception of one blocked basin, were fully functioning and in good working order.</p> <p>Notice of Violation issue by EHS to unblock the hand wash basin. Signed and received by Clark Davis</p>
6.	<p>No violations observed at the time of inspection.</p>
7.	<p>Reinforced with Clark Davis and Andrew Lawrence that they should conduct frequent self-inspections to ensure deficiencies are promptly identified and corrected without the need for daily directives from the Health Department. They understand and agree.</p> <p>Several Public Health fliers on Flu Prevention Tips were provided to Clark Davis for distribution.</p> <p>CHS sent a team of three nurses to the Occupy LA site. The team conducted an informal inspection and tour around the immediate area. Common complaints are of cuts/bruises and colds, but no complaints of head lice and/or meningitis s/s.</p>

**DEPARTMENT OF RECREATION AND PARKS
CITY HALL PARK
LAWN RESTORATION ESTIMATE**

Labor Costs		Indirect Costs - CAP 32					TOTAL COST
Position Title	Hourly Rate	No. of Hours	Total Direct Cost	Fringe Benefits (52.35%)	Central Services (28.32%)	Dept. Admin & Support (12.21%)	
Park Maintenance Supervisor	\$ 31.29	240	\$ 7,509.60	\$ 3,931.28	\$ 2,126.72	\$ 916.92	\$ 14,484.52
Senior Gardener	\$ 25.90	960	\$ 24,864.00	\$ 13,016.30	\$ 7,041.48	\$ 3,035.89	\$ 47,957.68
Irrigation Specialist	\$ 27.98	960	\$ 26,860.80	\$ 14,061.63	\$ 7,606.98	\$ 3,279.70	\$ 51,809.11
Gardener Caretaker	\$ 23.08	3,840	\$ 88,627.20	\$ 46,396.34	\$ 25,099.22	\$ 10,821.38	\$ 170,944.14
Total Labor Cost: \$ 285,195.45							

Expense Costs		Quantity	Unit Cost	Total Cost
Description				
Materials and Supplies		1 lot	\$ 10,000.00	\$ 10,000.00
Irrigation Parts		1 lot	\$ 10,800.00	\$ 10,800.00
New Sod - North Lawn and Spring Street Lawn		24,000 sq. ft.	\$ 0.40	\$ 9,600.00
New Sod - South Lawn		77,000 sq. ft.	\$ 0.40	\$ 30,800.00
Total Expense Cost: \$ 61,200.00				

TOTAL LAWN REPLACEMENT COST: \$ 346,395.45

- * Crew size - Total of 5 crews. Each will consist of 4 Gardener Caretakers, 1 Senior Gardener, and 1 Irrigation Specialist
- * Crews will be diverted from special funded projects.
- * Crew size based on speed of completion - estimated to be X days
- * Estimate could be reduced if duration is non-issue.
- * Regardless of estimate, this is all unfunded.
- * North Lawn - Low impact development (LID) demonstration project funding could reduce the estimate.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF THE NEW YORK

-----X
In the Matter of the Application of

Jennifer Waller, et al.,

Petitioners/Plaintiffs,

For a Judgment Pursuant to Articles 78, 30 and 63 of the Civil
Practice Law and Rules, and 42 USC §§ 1983 and 1988,

-against-

THE CITY OF NEW YORK, NEW YORK CITY MAYOR
MICHAEL BLOOMBERG, THE NEW YORK CITY POLICE
DEPARTMENT, NEW YORK CITY POLICE DEPARTMENT
COMMISSIONER RAYMOND KELLY, FIRE DEPARTMENT
OF THE CITY OF NEW YORK, FIRE DEPARTMENT OF
THE CITY OF NEW YORK COMMISSIONER SALVATORE
CASSANO, BROOKFIELD OFFICE PROPERTIES, INC.,
RICHARD B. CLARK, BROOKFIELD PROPERTIES, INC.
CHIEF EXECUTIVE OFFICER, et al.,

Respondents/Defendants.
-----X

**ORDER TO SHOW
CAUSE AND
TEMPORARY
RESTRAINING
ORDER**

Filed:
November 15, 2011

Index No.:
_____/2011

RJI No.:

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER

TO THE ABOVE NAMED RESPONDENTS/DEFENDANTS:

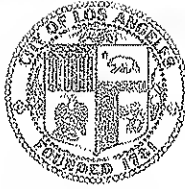
Upon the annexed ^{Verified Complaint} Affirmation of GIDEON ORION OLIVER, ESQ., one of
petitioners'/plaintiffs' attorneys associated with the New York City Chapter of the National
Lawyers Guild, sworn to on November 15, 2011, with the attached exhibits, and upon good
cause being shown,

Let the respondents/defendants show cause before this Court at IAS Part ~~46~~ in Room 204
at the New York County Supreme Court Courthouse at ~~60 Centre Street~~ in the county, city and
^{71 Thomas}

Click to enlarge: Read the full court order

4

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OFFICE OF THE MAYOR
ANTONIO R. VILLARAIGOSA

MEMORANDUM

To: City Clerk

From: Gaye Williams, Chief of Staff *Gaye Williams*

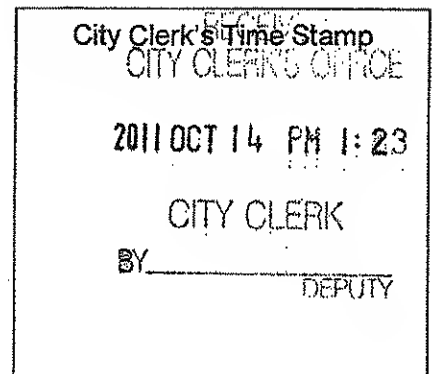
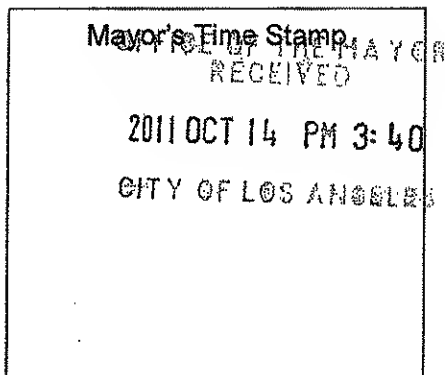
Date: October 25, 2011

RE: CF 09-0234-S1

City's Position to Support the First Amendment Rights Carried Out by
"Occupy Los Angeles" and Addressing Concerns Regarding the
Responsible Banking Measure

MEMO TO FILE

Council File 09-0234-S1 relative to Council action of October 12, 2011 regarding the above-entitled matter, is herewith returned without Mayor's signature, with the understanding that this item will be considered deemed approved.



SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 09-0234-S1

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE OCTOBER 12, 2011

RE: THE CITY'S POSITION TO SUPPORT THE FIRST AMENDMENT RIGHTS CARRIED OUT BY
"OCCUPY LOS ANGELES" AND ADDRESSING CONCERNS REGARDING THE RESPONSIBLE
BANKING MEASURE

LAST DAY FOR MAYOR TO ACT OCT 24 2011
[10 Day Charter requirement as per Charter Section 231(h)]

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED

*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 231 (h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL _____

MAYOR

OCT 05 2011

RESOLUTION

WHEREAS, Angelenos, like citizens across the United States, are reeling from a continuing economic crisis that threatens our fiscal stability and our quality of life; and

WHEREAS, "Occupy Los Angeles" is fueled by Angelenos from all walks of life who have come together in a demonstration of solidarity with and support for the national movement started by the "Occupy Wall Street" protests that began 17 days ago; and

WHEREAS, on Saturday, October 1st, 2011, "Occupy Los Angeles" started a peaceful protest on the Lawn of Los Angeles City Hall that continues through this day, and "Occupy Los Angeles" demonstrators are working to secure permits to continue the protest; and

WHEREAS, over 70 additional "Occupy" protests have taken root across the Country, from large demonstrations in Boston and San Francisco, to dozens of smaller ones in between, with many more being planned every hour, including a large-scale "Occupy Colleges" movement set to begin at 12 noon today on college campuses across the United States; and

WHEREAS, the protest in Liberty Plaza called "Occupy Wall Street" released its first official Resolution on September 30th, 2011, available at <http://occupywallst.org/forum/first-official-release-from-occupy-wall-street/>, providing an overview of the goals and unifying principles of the "Occupy" movement; and

WHEREAS, the "Occupy" demonstrations are a rapidly growing movement with the shared goal of urging U.S. citizens to peaceably assemble and occupy public space in order to create a shared dialogue by which to address the problems and generate solutions for economically distressed Americans; and

WHEREAS, the causes and consequences of the economic crisis are eroding the very social contract upon which the Constitution that the United States of America was founded; namely, the ability of Americans to come together and form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense of, promote the general welfare of, and secure the blessings of liberty for all, allowing every American to strive for and share in the prosperity of our nation through cooperation and hard work; and

WHEREAS, today corporations hold undue influence and power in our country, and the key to this power is the corporate claim to "personhood," an opinion both U.S. Supreme Court Justices Hugo Black and William O. Douglas declared should be reversed; and

WHEREAS, the United States Supreme Court's recent 5-4 ruling in *Citizens United v. the Federal Election Commission* rolled back legal restrictions on corporate spending in the electoral process, consequently influencing the selection of candidates, the outcome of elections, and policy decisions -- threatening the voices of the people; and

WHEREAS, our economic system can only be called broken when one considers that currently, over 25 million Americans who seek work are unemployed; more than 50 million Americans are forced to live without health insurance; and, even using our current poverty measure that is widely recognized to be inadequate and outdated, more than 1 in 5 American children are growing up poor in households that lack access to resources that provide basic survival needs, such as food, clothing, and shelter; and

WHEREAS, the U.S. Centers for Disease Control (CDC) released a "CDC Health Disparities & Inequalities Report- United States, 2011" revealing that income inequality in the United States is the

ORIGINAL

highest in the world among any advanced industrialized nation, with wide-spread inequities in U.S. health outcomes by income, race, and gender; and

WHEREAS, over the past 30 years, both the average and the median wage in America has remained almost stagnant while the average individual worker contribution to GDP has soared to 59% and the economy has doubled, all after adjusting for inflation; and

WHEREAS, over the past 30 years, almost all the gains to the economy have accrued to the very top income earners—largely the top 1%, who now control 40% of the wealth in the United States, in great part as a result of policy changes that are reversible such as taxation; and

WHEREAS, the Institute for Policy Studies indicates that the top 1 percent of Americans own half of the country's stocks, bonds and mutual funds; and

WHEREAS, the 400 richest Americans at the top control more wealth than the 180 million Americans at the bottom; and

WHEREAS, the Los Angeles County Federation of Labor has officially endorsed "Occupy Los Angeles" and "Occupy Wall Street" in a statement of support saying: "The Los Angeles labor movement stands with its sisters and brothers occupying Wall Street, downtown Los Angeles, and cities and towns across the country who are fed up with an unfair economy that works for 1% of Americans while the vast majority of people struggle to pay the bills, get an education and raise their families;" and

WHEREAS, the Los Angeles County Federation of Labor statement of endorsement continues: "The Occupy Wall Street movement is mobilizing for a fair economy across the country including in Los Angeles. This movement is taking a stand against the corporate bullies, banks and investment firms that not only created our economic collapse in 2008, but continue to take advantage of it today, making billions in profits while demanding further wage and benefit cuts from American workers;" and

WHEREAS, Americans must resolve some of the divisive economic and social realities facing our nation in a peaceful way to avoid the further deterioration of our greatest asset—our human capital—and;

WHEREAS, in cognizance that one of the factors spurring recent violent revolutionary protests in the Middle East is high income inequality, though the sobering reality is that income inequality in the United States is even higher than that of some of the countries torn asunder by violent revolution; for instance, according to the C.I.A. World Fact Book, the United States Gini coefficient, which is used to measure inequality, is higher than that of Egypt's pre-Revolution; and

WHEREAS, the fiscal impact of the continuing economic crisis is disastrous to education, public services, infrastructure and essential safety-net services that have historically made America successful, with school class sizes growing while teachers are laid off and forcing Cities and States to make sobering choices that just a few years ago would have been unthinkable, such as how to cut hours and services from public safety provision, delaying or neglecting to maintain essential physical infrastructure including roads, sewers, and water and power delivery; and cutting services provided by our libraries, recreation, and park facilities; and

WHEREAS, one of the largest problems causing our economy to continue to flounder is the foreclosure crisis, with some banks continuing the use of flawed, and in some cases fraudulent, procedures to flood the housing market with foreclosures, such as the recent revelations of widespread foreclosure mismanagement by mortgage servicers who fail to properly document the seizure and sale of homes, in some cases foreclosing without the legal authority to do so, prompting the 50-state Attorney General investigation of foreclosure practices; and

WHEREAS, California has been particularly hard-hit by the foreclosure crisis, with:

- 1 in 5 U.S. foreclosures in California; and
- 1.2 million foreclosures in California since 2008, with a projection of a total of 2 million California foreclosures by the end of 2012; and
- More than a third of California homeowners locked in an underwater mortgage, with few banks offering any type of principal reduction modification, even given Federal, State and City programs offering to split the balance of a modification with the bank; and

WHEREAS, the costs of the foreclosure crisis to California taxpayers includes:


- Property tax revenue losses estimated at \$4 billion; and
- Local, county and state government losses to respond to foreclosure-related costs estimated at \$17 billion --including costs such as the maintenance of blighted properties, sheriff evictions, inspections, public safety, trash removal, and other costs at \$19,229 for every foreclosure; and


WHEREAS, on March 5th, 2010, the Los Angeles City Council unanimously passed the Responsible Banking measure, CF 09-0234 (Alarcon-Garcetti-Hahn-Parks-Reyes), which would create a Responsible Banking program for the City of Los Angeles, scoring financial institutions that the City pays to conduct City business along a Los Angeles-specific "Community Reinvestment Score" that measures the institution's Los Angeles investments in an objective, data-driven manner, for example, by measuring the amount of home loan modifications extended to Los Angeles homeowners, the amount and location of bank branches maintained throughout the City, and the amount of affordable housing dollars invested in the City; and

WHEREAS, the Responsible Banking program, a practical approach to ensuring accountability, would therefore provide an important financial incentive for banking institutions to 1) Invest more in our City and our citizens, particularly by stabilizing the housing market; 2) Provide our community development institutions and nonprofits with increased affordable housing funds, and 3) Provide incentive for additional economic development drivers to spur increased fair lending and equitable investment in Los Angeles, by leveraging a model similar to the federal Community Reinvestment Act;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby stands in SUPPORT for the continuation of the peaceful and vibrant exercise in First Amendment Rights carried out by "Occupy Los Angeles" and urges the City Departments responsible for completing the implementation plan associated with the Responsible Banking measure (CF 09-0234) that was approved by the Council on March 5th, 2010, which would address some of the concerns of the "Occupy Los Angeles" demonstrators by demanding accountability and results from the Banks we invest taxpayer dollars in, to bring the Responsible Banking measure for a final vote to the Council by October 28th, 2011.

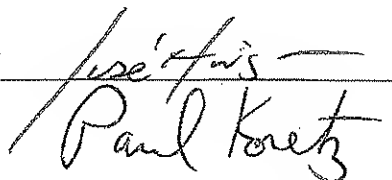
ADOPTED
*as amended
OCT 12 2011
see attached Motions
LOS ANGELES CITY COUNCIL

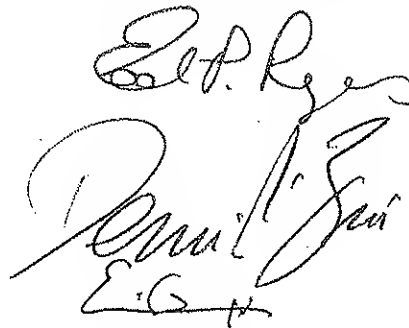

RICHARD ALARCÓN
Councilmember, 7th District


BILL ROSENDAHL
Councilmember, 11th Council District

SECONDED BY

OCT 5 2011


Paul Kretz


Paul Kretz

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations relative to Resolution (Alarcon – Rosendahl – et al) regarding the City's position to support the First Amendment Rights carried out by "Occupy Los Angeles" and addressing concerns regarding the Responsible Banking measure, **SUBJECT TO THE CONCURRENCE OF THE MAYOR:**

1. AMEND the 3rd paragraph on Page 3 as follows:

WHEREAS, on March 5th, 2010, the Los Angeles City Council unanimously passed the Responsible Banking measure, *currently under deliberation in the Budget and Finance Committee*, CF 09-0234 (Alarcon-Garcetti-Hahn-Parks-Reyes), which would create a Responsible Banking program for the City of Los Angeles, scoring financial institutions that the City pays to conduct City business along a Los Angeles-specific "Community Reinvestment Score" that measures the institution's Los Angeles investments in an objective, data-driven manner, for example, by measuring the amount of home loan modifications extended to Los Angeles homeowners, the amount and location of bank branches maintained throughout the City, and the amount of affordable housing dollars invested in the City; and

2. AMEND the 4th paragraph on Page 3 as follows:

WHEREAS, the Responsible Banking program, a practical approach to ensuring accountability, *currently under deliberation in the Budget and Finance Committee*, would therefore provide an important financial incentive for banking institutions to 1) Invest more in our City and our citizens, particularly by stabilizing the housing market; 2) Provide our community development institutions and nonprofits with increased affordable housing funds, and 3) Provide incentive for additional economic development drivers to spur increased fair lending and equitable investment in Los Angeles, by leveraging a model similar to the federal Community Reinvestment Act;

3. AMEND the 5th paragraph/recommendations on Page 3 as follows:

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby stands in SUPPORT for the continuation of the peaceful and vibrant exercise in First Amendment Rights carried out by "Occupy Los Angeles" and urges the City Departments responsible for completing the implementation plan associated with the Responsible Banking measure (CF 09-0234) that was approved by the Council on March 5th, 2010, which would address some of the concerns of the "Occupy Los Angeles" demonstrators by demanding accountability and results from the Banks we invest taxpayer dollars in, to bring the Responsible Banking measure *to the Budget and Finance Committee for consideration on/by November 21, 2011 and to the Council later that week for a preliminary discussion for a final vote to the Council by October 28th, 2011.*

ADOPTED

OCT 12 2011

LOS ANGELES CITY COUNCIL

PRESENTED BY _____

HERB WESSON
Councilmember, 10th District

SECONDED BY _____

RICHARD ALARCON
Councilmember, 7th District

October 12, 2011

CF 09-0234-S1

33A

MOTION

I MOVE that the resolution relative to the City's position to support the First Amendment Rights carried out by "Occupy Los Angeles" and addressing concerns regarding the Responsible Banking measure, Item No. 33 on today's Council Agenda (CF 09-0234-S1) BE AMENDED to add the following : paragraph to the resolution:

BE IT FURTHER RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby commends and thanks its law enforcement professionals and all involved city staff for their efforts in preserving the peace during the Occupy LA event and for the fair treatment of all participants.

Presented by:



PAUL KREKORIAN

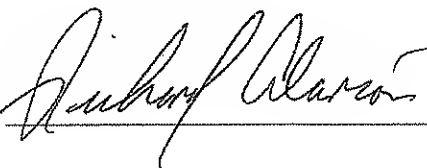
Councilmember, 2nd District

ADOPTED

OCT 12 2011

LOS ANGELES CITY COUNCIL

Seconded by:



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OCT 12 2011

COUNCIL VOTE

Oct 12, 2011 12:51:17 PM, #12

ITEM NO. (33)

Adopt as Amended

ALARCON	Yes
CARDENAS	Yes
ENGLANDER	Absent
(VACANT)	Absent
HUIZAR	Yes
KORETZ	Yes
KREKORIAN	Absent
LABONGE	Yes
PARKS	Yes
PERRY	Yes
REYES	Absent
ROSENDAHL	Yes
WESSON	Yes
ZINE	Yes
*GARCETTI	Yes

Present: 11, Yes: 11 No: 0

Department Reported Risks, Recommendations, and Cost Relative to Occupy LA Protest

Dept.	Risk Type	Risk Description	Recommended Resolution	Ongoing Costs to Date	Daily Ongoing Costs	One-Time Costs
City Attorney	Various	Various legal issues relative to enforcement of existing laws.	Continue providing legal consultation.	\$ 32,500	\$ 1,048	N/A
General Services	Public Safety	Large group of protesters around City Hall involved in various activities.	24 Hour patrol of protest areas by OPS staff.	46,000	1,643	N/A
General Services	Vandalism	Unauthorized use of City properties such as the South Lawn fountain and LAFD memorials could cause serious injury to the protestors and damage historic treasures..	Installation of protective fences around the fountain and LAFD memorials. Note, average of one-time cost range (20k - 35k) used in cost calculation.	N/A		\$ 27,500
General Services	Signage	Legal enforcement issues.	Placement of signs throughout LA and Van Nuys Civic Center.	N/A		3,000
Police	Public Safety	Various public safety risks; also see deployment plan. Note that costs would be incurred regardless of Occupy LA Protest as the Dept. has redeployed and not used overtime.	Deployment as planned.	238,736	7,958	N/A
Sanitation	Public Health and Environmental Protection	Removal of Solid Waste and Recyclables.	Inspection of stormdrain system around CH to prevent pollutants from being discharged into system (eg shower water, urine, etc).	6,240	223	N/A
Transportation	Public Safety	Protestors encroaching on the streets and obstructing the flow of traffic. Increased parking in Red Zones.	Temporary street closures and limiting accessibility and parking. Costs include salaries for parking enforcement officers, field operations and special enforcement staff, and material cost for temporary signs.	24,100	861	N/A
Rec/Parks	Public Safety	Illegal to camp in City parks per Ordinance No. 63.44 B.14 which requires park closure by 10:30 PM..	Department continues to address issues as they arise and consult with City Attorney.	11,500	411	N/A
Total Costs:				\$ 359,076	\$ 12,143	\$ 30,500
Total Ongoing and One-Time Cost:				\$ 389,576		
Estimated Costs Above Regular Costs (Sanitation and Transportation ongoing costs and GSD one-time costs):				\$ 30,340	\$ 1,084	\$ 30,500

Estimated Fines Associated with Protest					Total	Daily Total
2	Fire	Dept. reports relevant permit has no cost so no reported loss of revenue.			N/A	N/A
	Rec/Parks	Ordinance No. 63.44 B. 14.a (10:30pm Closing to Parks). Under L.A.M.C Section 11.00 (m) the City Attorney may charge violations of the Code as an infraction or misdemeanor. Misdemeanors are punishable by a fine of not more than \$1,000, by imprisonment in the County Jail for a period of not more than six months, or by both a fine and imprisonment. The City Attorney may charge instead as an infraction not to exceed \$250 for each violation. Separate violations could be charged for each day of the violation. Revenue estimate assumes 250 daily infraction violations at \$250 per violation for 30 days.			\$ 1,875,000	\$ 62,500
Total \$					1,875,000	\$ 62,500
Department Reported Issues Without a Definable Cost					Cost Notes	
City Clerk	Public Safety	Debris and unsanitary conditions are of concern as our offices are located at the Temple street exit.	Risk Description	Recommended Resolution	Request regular cleaning of stairs and sidewalk. LA County Health Dept. is conducting daily inspections to ensure compliance with public health requirements.	See General Services and Bureau of Sanitation
City Clerk	Financial	Work interruptions; Bull Horns, Air Horns, shouting and other noise		None until conclusion of protest.	Undetermined.	
City Clerk	Other Risks	Harassment of staff by protesters		Security at all exits, especially Spring Street	See General Services	
CRA Risk Manager	Public Health and Safety	There is an increased risk of a pandemic flu outbreak as a direct result of the unsanitary conditions that now exist by the Occupy L.A. camp-out.		There may be alternative sites such as vacant land available, however, the liability will just shift from one area to another.	The cost is undetermined, however, could be in the hundreds of thousands if an outbreak occurs due to loss of wages and revenue from absence at work to businesses shutting down.	
CRA Risk Manager	Public Health and Safety	There is an increased risk to City employees due to Occupy L.A. campers using City facilities from acts of violence and illness ultimately creating a workers comp issue for the City.		At some point, the restroom facilities will have to become of limits in an effort to protect the health and safety of City employees and the visiting public.	Undetermined.	
CRA Risk Manager	Other Risks	If the City continues to encourage the Occupy L.A. Campers to use City property, any property damage (auto accidents) or injuries as a result of violent acts caused by the Occupy L.A. Campers to Citizens, the City would be responsible for any resulting liability by their encouragement and failure to protect the Citizens from this exposure.		Do a press release notifying the public of the increased costs that will somehow have to be paid if the Occupy L.A. campers are not disbursed immediately.	Minimal if protest ends fairly soon.	

DWP	Other Risks	Minimal risk for LADWP field units who may drive by or be assigned to work in the area.	Ensure LADWP employees are aware of the protest location(s) and notify supervision if assigned a work order in the area. Supervision shall make a safety assessment prior to LADWP employees starting any work in the affected area.	N/A	
Fire	Public Safety	Room to set up weekly Farmer's Market	Relocate Farmer's Market	2 Inspector hours per week	N/A
Fire	Public Safety	Protestors camping on the South Lawn are obstructing the evacuation refuge area for City Hall. This lawn area has been identified as a safe zone by nearby buildings as well. Evacuation of one building for a Fire is a different issue than numerous building evacuating at one time due to an earthquake.	Discussions are underway with LAFD Ben Flores, Tony Marino and GSD Eric Robles to identify additional areas that can be used during this protest.	N/A	
Fire	Public Safety: Fire Risk	This type of unorganized encampment with non regulated tents and canopies has the potential of fire hazards: 1) Smoking is taking place in and around the tents; 2) cooking is being done within the encampment using camping stoves; 3) Materials used to manufacture the tents has been stressed by exposure and if they were every flame resistant that has likely been compromised. The random layout of the tent locations does not provide organized access 36" aisles. Rubbish is a potential fire hazard. LA County Health Department has identified health concerns for build up of any rubbish. GSD staff has been working with the protestor to minimize this activity.	Department is working with various Departments and doing regular inspections to minimize risks.	N/A	
General Services	Graffiti	Graffiti and chalking of structures, trees and sidewalks	Pressure washing, painting, repair and cleaning techniques	TBD	
Finance	Public Safety	Demonstrators, tents, signs, etc. could obstruct emergency exit via the Temple St. and First St. exits from City Hall	Monitor areas to assure stairs and doorways remain clear. Also, GSD Security to use PA system along with Floor Wardens to direct any evacuating staff away from obstructed exits. Make sure staff are aware of alternate exits from the building.	Any additional GSD Police or LAPD personnel required.	N/A
Finance	Financial	No direct financial impact on operations of the Office of Finance to date.	N/A	N/A	N/A
Finance	Other Risks	If protestors block public access to City Hall, taxpayers would be unable to use public counter to make tax or permit payments.	If City Hall access is impaired, direct taxpayers calling in to our Call Center or 311 to one of our other offices.	Nominal	Nominal
Rec/Parks	City Property	Park lawn will need repaired	Dept. to estimate costs	Unknown	Unknown

Various	Public Health	No shower or laundry facilities.	LA County Health Dept. is conducting daily inspections to ensure compliance with public health requirements.	N/A	N/A	N/A
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Negative Replies

Aging
Animal Services
Building and Safety
Bureau of Contract Admin.
Bureau of Engineering
Bureau of Street Lighting
Bureau of Street Services
Community Development
Convention Center
Cultural Affairs
Disability
Ethics
Harbor
Housing
ITA
LACERS
Library
Personnel
Zoo
El Pueblo
Employee Relations Board

Departments w/o Response

Controller
Emergency Management
Neighborhood Empowerment
Planning
Board of Public Works
Airport

LAPD, Central Bureau Operations Relative to Occupy LA Protest

Operations-Central Bureau (OCB) has deployed significant resources both monitoring and in support of the Occupy LA demonstrations, marches and encampment around City Hall. Those resources have included personnel planning for and monitoring marches and events, staffing command posts, and walking footbeat patrols around City Hall and Police Headquarters Facility.

Beginning October 1, 2011, OCB established an on-scene command post operations and footbeat patrols at City Hall that have operated on a daily basis from 0600 to 2400 hours (18 hours/day). Those operations, divided between two shifts, were typically staffed in total by (2) captains, (2) lieutenants, and (6) officers per day. Simultaneously, OCB established a second command post operation, located within the OCB offices, that has operated on a daily basis from 0600 to 2400 hours (18 hours/day). That operation, divided between two shifts, has been staffed in total by (3) officers per day. Additionally, the OCB Special Events unit has provided the support of (1) sergeant and (2) officers per day. Those resources have been deployed on a daily basis since the Occupy LA movement began in Los Angeles.

On October 1, 2011, in addition to the above operations, OCB deployed (1) commander, (1) captain, (2) sergeants and (5) officers for the Occupy LA-Day One march and demonstration.

On October 15, 2011, in response to the Global day of Action-Occupy the World march and demonstration, OCB deployed approximately the following personnel: (2) captains, (1) lieutenant, (7) sergeants, (1) motor sergeant, (2) motor officers, (49) police officers over a single 10-hour shift.

Additionally, Central Area Patrol has provided nightly monitoring and extra patrol since the inception of the Occupy LA activities.

This summary was completed on 10-28-11 as a rush request. These numbers are estimates and have not been reviewed or approved by LAPD Fiscal Operations Personnel.

BOARD OF FIRE COMMISSIONERS

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JILL FURILLO

LETICIA GOMEZ
EXECUTIVE ASSISTANT II

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

FIRE DEPARTMENT

BRIAN L. CUMMINGS
FIRE CHIEF

200 NORTH MAIN STREET
LOS ANGELES, CA 90012

(213) 978-3800
FAX: (213) 978-3815

<http://www.lafd.org>

November 3, 2011

TO: Gaye Williams, Chief of Staff ✓
Office of the Mayor

FROM: Mark I. Stormes, Assistant Bureau Commander
Bureau of Fire Prevention & Public Safety

The maximum assemblage occupant load to be used for the community and expressive events in the Los Angeles City Hall Civic Center.

- A. Triforum:
Based on 15,000 square feet = 2,000 people
- B. City Hall Spring Street Steps:
Smaller Landing, based on 60 square feet = 60 people
Large Landing, based on 1102 square feet = 157 people
- C. City Hall South Lawn:
Based on 3600 square feet = 500 people
- D. City Hall East - Main Street Exterior Set Back:
Based on 2160 square feet = 300 people

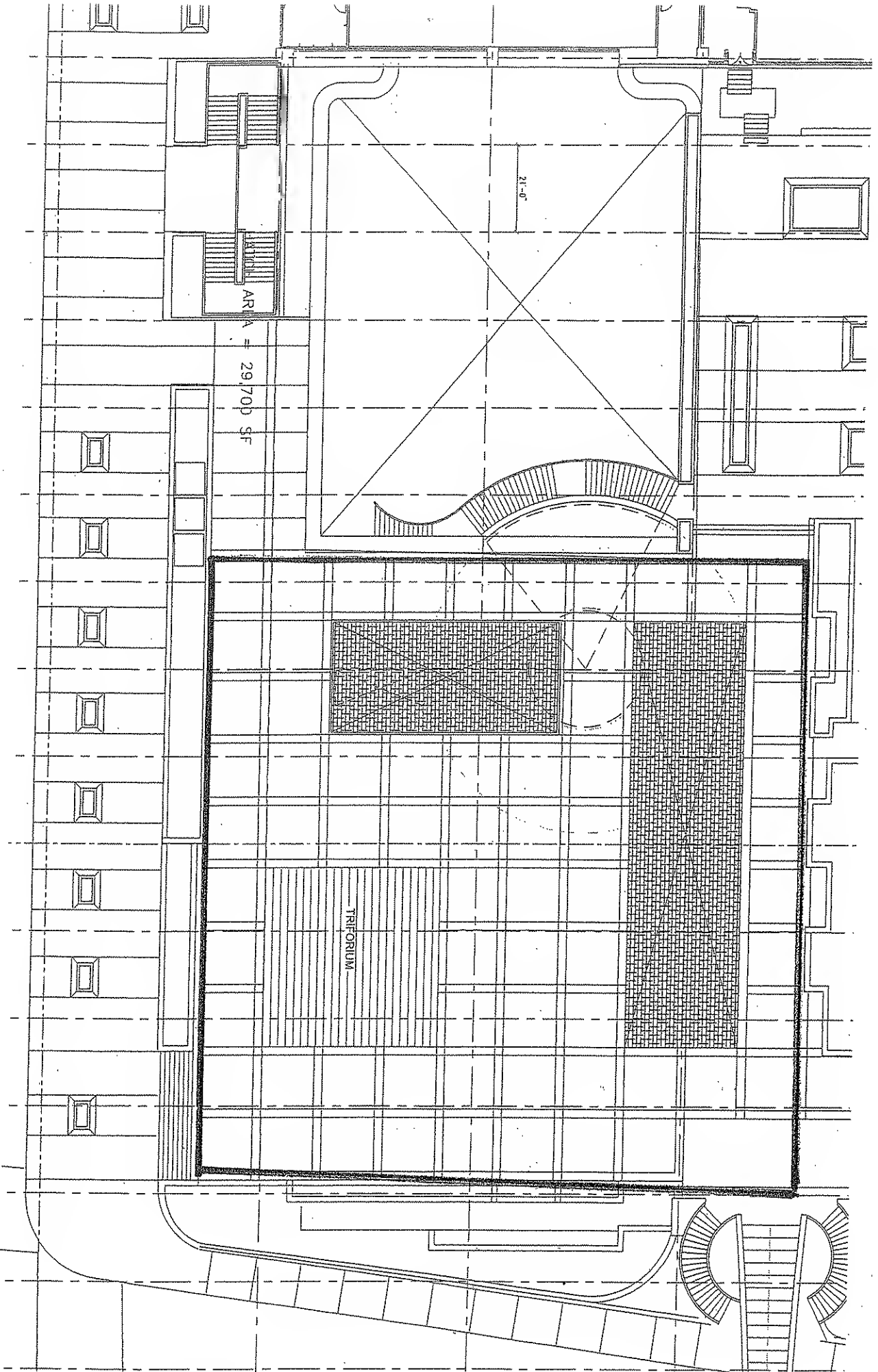

Mark I. Stormes, Assistant Bureau Commander
Fire Prevention & Public Safety

Cc: Brian L. Cummings, Fire Chief, LAFD
Tony Royster, GSD
John Sherman, LAPD
Eileen Decker, Mayor's Office

Attachments

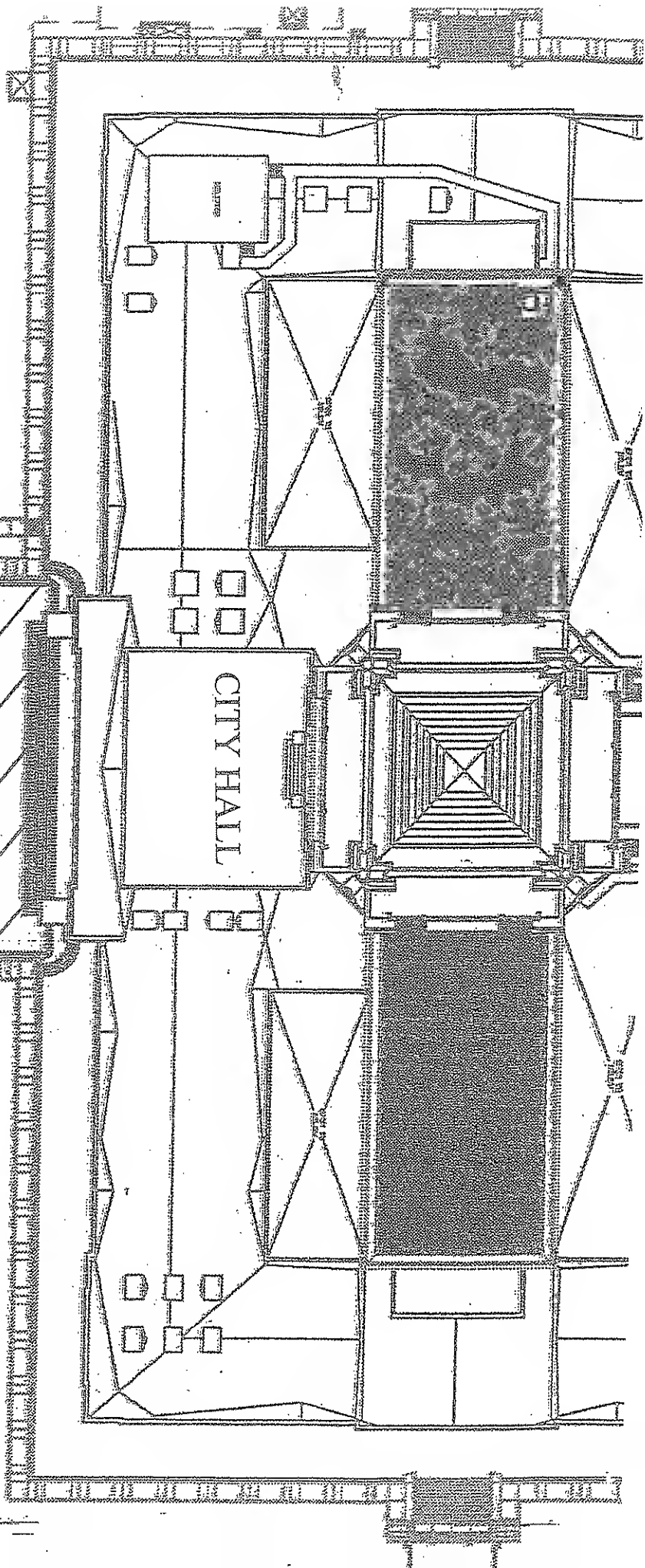
A

MAIN St.



TEMPLE St.

Triforium



Expressive and Community Zones

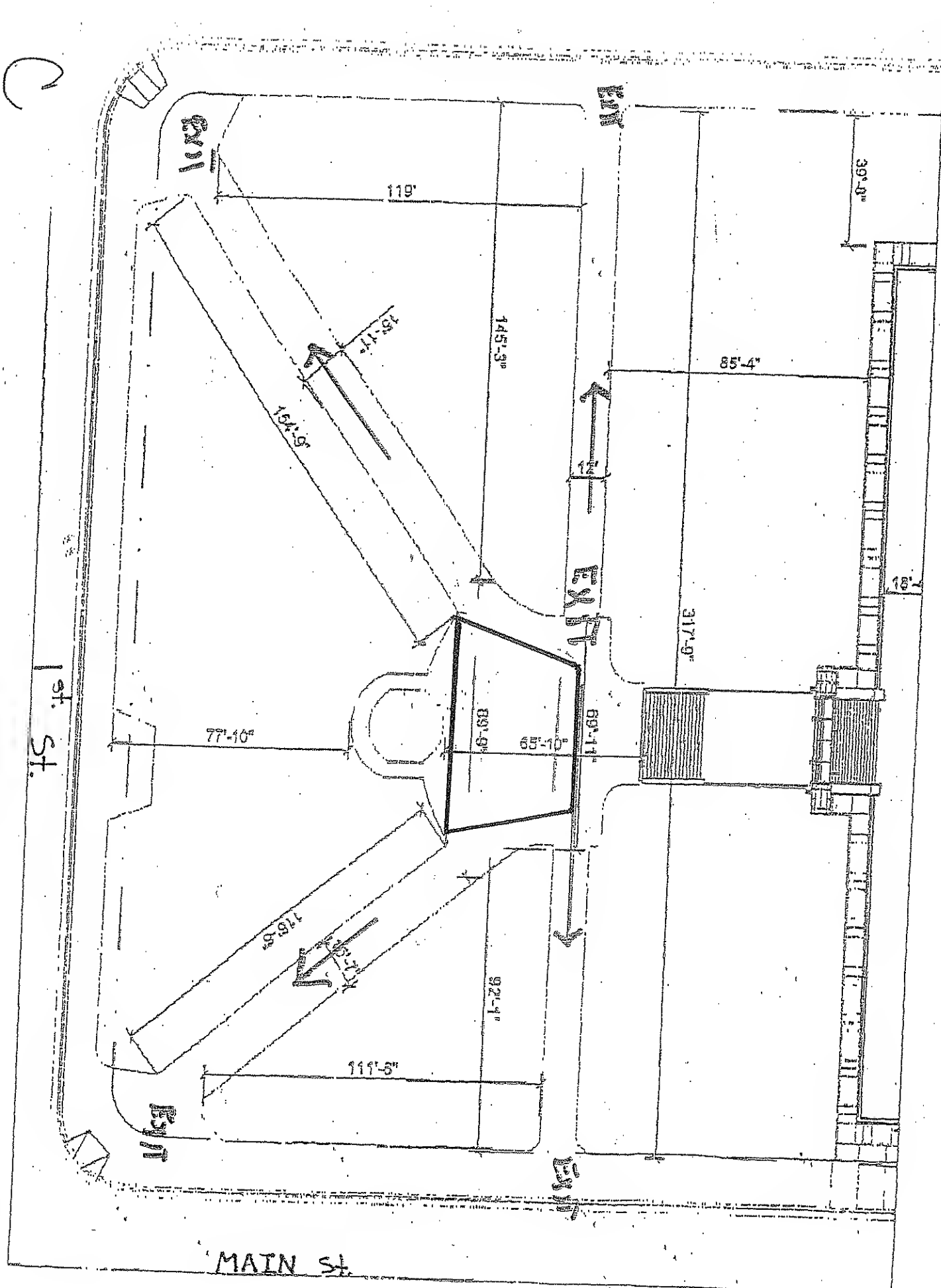
Spring St. Steps

SPRING STREET

SIDEWALK

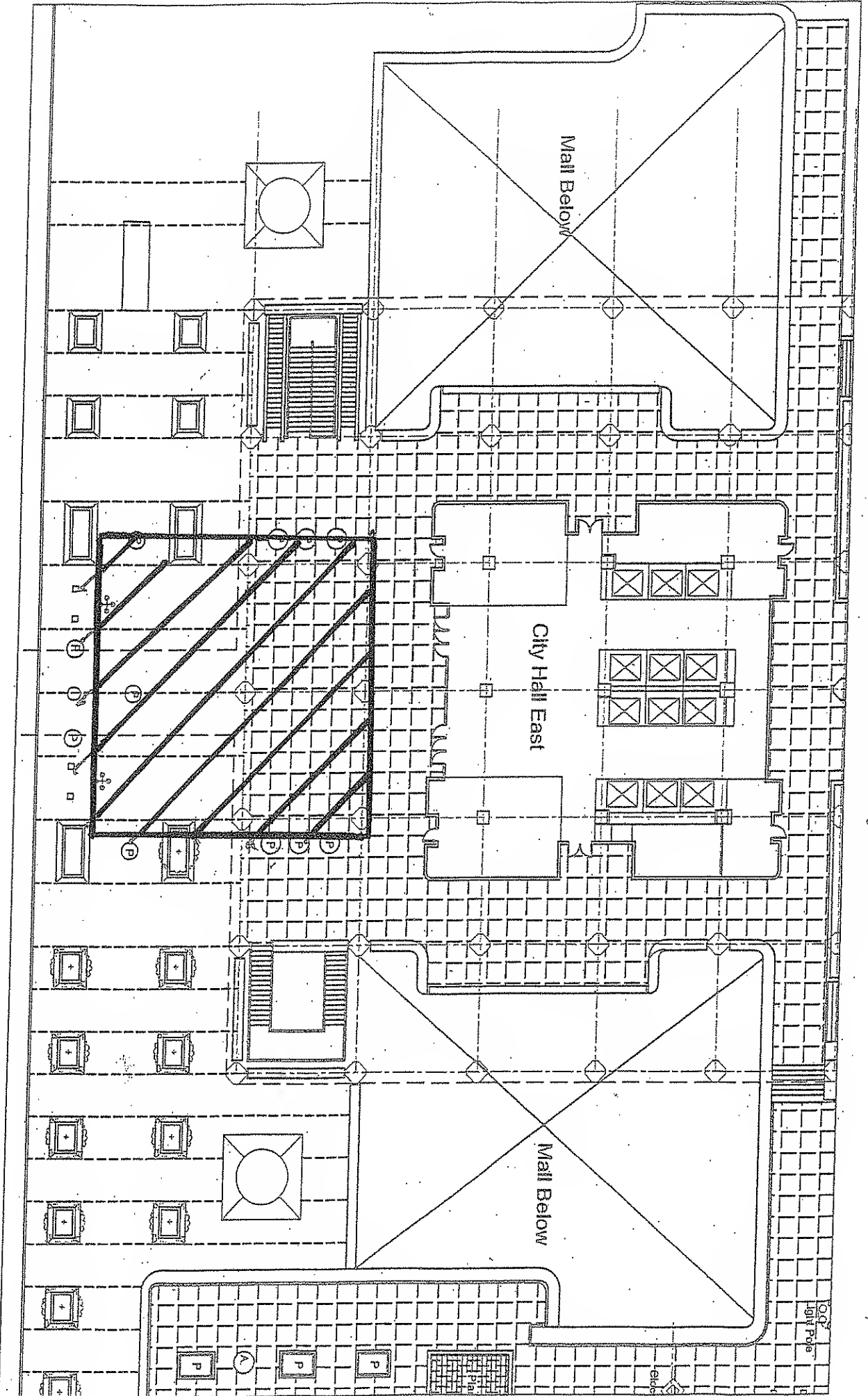


B



CITY HALL EAST

Expressive and Community Zones



D

MAIN St.

BOARD OF
RECREATION AND
PARK
COMMISSIONERS

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CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
RECREATION AND
PARKS

221 N. FIGUEROA STREET
SUITE 1550
LOS ANGELES, CA 90012

(213) 202-2633
FAX: (213) 202-2614

JON KIRK MUKRI
GENERAL MANAGER

November 7, 2011

Honorable Antonio R. Villaraigosa
Mayor, City of Los Angeles
200 N. Main Street
City Hall, Room 303
Los Angeles, CA 90012

RE: CONDITIONS AT CITY HALL PARK

Dear Mayor Villaraigosa:

This letter is intended to provide information regarding the current conditions of the grounds at City Hall Park, and express concerns regarding the longevity of the trees and other landscape features located throughout the park.

The Department of Recreation and Parks (RAP) maintains and operates over 400 parks throughout the City of Los Angeles. The landscaped areas around City Hall have been designated as parkland (City Hall Park) since 1927 when the land was transferred from the Board of Public Works to RAP. City Hall Park is approximately two acres in size, contains over 80 trees, and has 100,000 square feet of landscaped areas. The most recent seismic renovation of the City Hall not only renovated the building, but took great care to return the City Hall Park to its historic condition.

On October 1, 2011, participants of the "Occupy LA" began utilizing the grounds of City Hall Park for a public demonstration and protest. In the early days of the demonstration there were a small number of participants who set up approximately 20 tents, and other structures on the park grounds. These early participants also moved their tents off the park grounds every night when the park was closed by City Ordinance 63.44 B.14 (a). Since then, however, the total number of participants, with tents, canopies and other structures located on City Hall Park has grown into the hundreds. Some of these structures have now become semi-permanent in nature, and the persons now living on the grounds of the park have stopped moving their tents and other structures off the grounds when the park is closed. Some individuals have compromised the park's irrigation system by disabling sprinkler heads, and vandalizing the various irrigation valves located throughout the park. Additionally, the persons now living on the grounds of the park have: 1) created several unsafe conditions; 2) monopolized the park grounds, thus limiting access for other park users; 3) greatly impacted RAP's ability to properly maintain and irrigate the park; and, 4) caused damage to the park grounds including landscaped areas, hardscape areas, and trees.

The increasing number of people, tents, and other structures currently located on the grounds of City Hall Park has led to the creation of the following conditions:

- Soil has become compacted and extremely dry in turf areas and around trees.
- Trees and other plants are suffering from a lack of water and nutrients.
- Trees and other landscape areas are in decline.

- Physical damage to trees has been caused by ropes, nails, and anchors used for tents.
- Physical damage has been caused to the irrigation system and controllers.
- Irrigation and maintenance of the grounds is not currently possible.
- The City's park closure, open flame, smoking, and camping ordinances are not being enforced.
- Individuals have built their structures directly under the tree canopies which could be problematic.
- The City may face future liability if the trees and the grounds of the park are allowed to decline further.
- The City's liability has increased not only due to potential of fallen trees branches, but also from trip and fall hazards created by tent ropes, holes, and broken sprinklers.

As soon as access to park grounds is made available, and funding has been identified for the repair and restoration of the park, RAP will be able to address the unsatisfactory conditions that currently exist. The maintenance, repair, and restoration project will take several weeks to complete as the turf, trees, and plants will need ample time to establish their root systems before City Hall Park becomes available for public use.

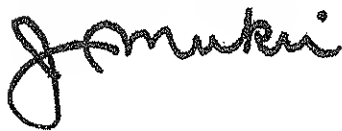
The following is an outline of the various steps necessary to complete this project. It is important to note that RAP staff will need to perform most of this work by hand as the existing tree roots inhibit the use of machinery:

- RAP will perform a full inspection of all existing trees and trim as needed to remove any hazardous conditions.
- RAP will remove all trash and debris from the grounds.
- RAP will inspect and repair the park irrigation systems including underground pipes, sprinklers, and valves.
- Based on existing conditions, RAP will develop a landscape plan to update and restore the various landscape features in the park.
- RAP will prepare the grounds for planting by adding soil, leveling, and performing aeration.
- RAP will then install new sod, and new drought tolerant plantings in landscaped areas.
- RAP will monitor the site continually during the landscape establishment period.

City Hall and its park are iconic entities. RAP is tasked with making all of our parks accessible to the City residents, and we take pride in the maintenance of their environment. To assist in this effort, we created and distributed a flyer to help educate the individuals living on the grounds of the City Hall Park about protecting the trees. Should you have any questions regarding the information contained in this report, please feel free to contact me, Regina Adams, or Kevin Regan at (213) 202-2633.

Thank you for your consideration of this report.

Sincerely,



Jon Kirk Mukri
General Manager

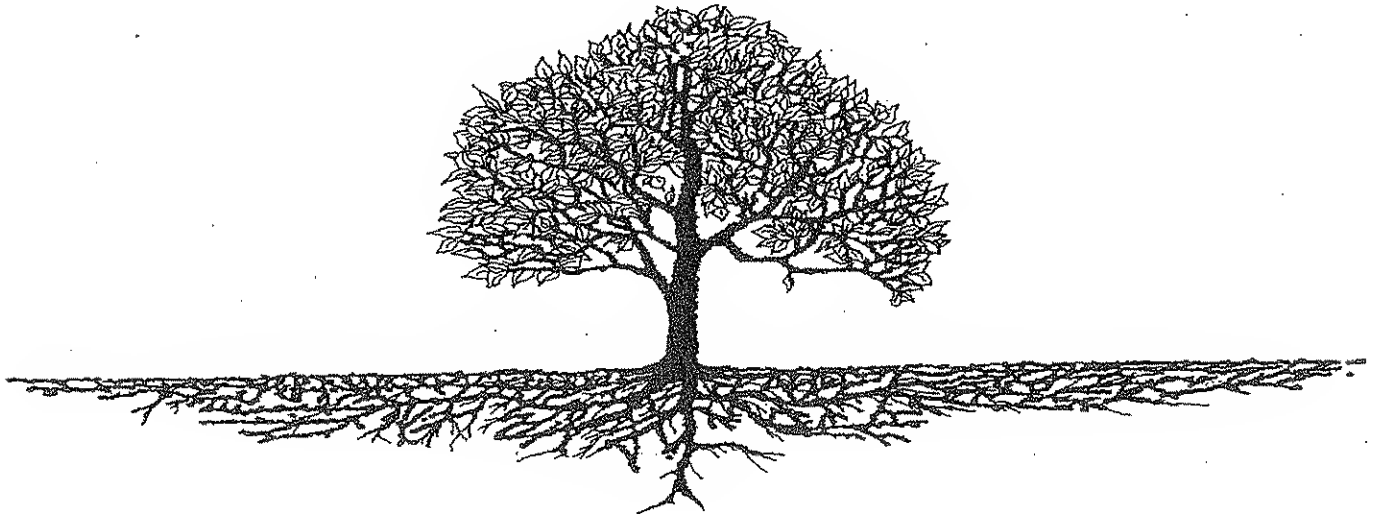
Hon. Antonio R. Villaraigosa
November 7, 2011
Page 3

JKM:RA:KR

Attachment

cc: Honorable Members of City Council
Recreation and Parks Board of Commissioners
Miguel Santana, City Administrative Officer
Gerry Miller, Chief Legislative Analyst
Gaye Williams, Office of the Mayor
Romel Pascual, Office of the Mayor
Matthew W. Szabo, Office of the Mayor
Jennie Carreon De Lacey, Office of the Mayor
Regina Adams, Recreation and Parks
Kevin Regan, Recreation and Parks
Michael Shull, Recreation and Parks
Ramon Barajas, Recreation and Parks

PROTECT THE CITY HALL TREES PROTECT THE ENVIRONMENT



Please respect the trees on the grounds of City Hall.
You are guests in their home.
This is their community.

Please help us care for the trees.

- Avoid tying, taping, stapling or nailing anything to the trees.
- Avoid piling anything against or around the trunk and base of the tree.
- Avoid dumping anything but fresh water on the grounds.
- Avoid carving and drawing on the trees.
- Avoid pulling on or breaking tree branches.
- Avoid placing tents in landscape area directly under tree canopies.

**To report any hazardous conditions involving the trees:
Please call Recreation and Parks Forestry Division (213) 485-4826**

BARRY A. SANOERS
PRESIDENT

LYNN ALVAREZ
VICE PRESIDENT

W. JEROME STANLEY
JILL T. WERNER
JOHNATHAN WILLIAMS

MARY E. ALVAREZ
EXECUTIVE ASSISTANT II

CITY OF LOS ANGELES
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

221 NORTH FIGUEROA STREET
15TH FLOOR, SUITE 1550
LOS ANGELES, CA 90012

(213) 202-2633
FAX (213) 202-2614

JON KIRK MUKRI
GENERAL MANAGER

November 29, 2011

Honorable Antonio R. Villaraigosa
Mayor, City of Los Angeles
200 N. Main Street
City Hall, Room 303
Los Angeles, CA 90012

RE: EMERGENCY CLOSURE OF CITY HALL PARK

Dear Mayor Villaraigosa:

As a result of an unlawful assembly, as declared by the Los Angeles Police Department, at City Hall Park, I am exercising my authority under Los Angeles Municipal Code (LAMC) Section 63.45a to declare an emergency closure of City Hall Park. Additionally, in accordance with our responsibility to manage and maintain the park and to protect public health and safety, the park will remain closed and secured with a fence until such time as the Department of Recreation and Parks can complete assessment, rehabilitation and renovations to the grounds. Therefore, in accordance with LAMC 63.45c and my Charter and statutory authority to administer and manage the City parks, no member of the public shall be allowed to enter the closed area or to remain in the closed area throughout the duration of the closure.

Based upon the ongoing inspections and reports we have received from City personnel and representatives from the County Health Department relating to the conditions at City Hall Park, we need to close City Hall Park to fully assess, clean and rehabilitate City Hall Park for the health and safety of the public.

Moreover, as stated in our previous letter of November 7, 2011, several renovations will need to take place within the park grounds. These include:

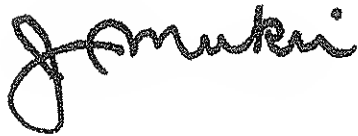
- Removal of all trash and debris from park grounds
- Full inspection of existing trees, and trimming as needed to remove any hazardous conditions
- Inspection and repair to the park's irrigation system, including underground pipes, sprinkler heads, and valves
- Restoration of various landscape features
- Leveling and aeration of soil, and replanting of landscaped areas
- Graffiti removal
- Steam cleaning of all hardscapes, paths, and stairways
- Cleaning and restoration of park monuments
- Continual monitoring of the site during the landscape establishment period



Hon. Antonio R. Villaraigosa
November 28, 2011
Page 2

Should you have any questions regarding these matters, please feel free to contact myself, Regina Adams, or Kevin Regan at (213) 202-2633.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Kirk Mukri". The signature is fluid and cursive, with a large initial "J" and "M".

JON KIRK MUKRI
General Manager

JKM:KR

cc: Honorable Members of City Council
Recreation and Parks Board of Commissioners
Miguel Santana, City Administrative Officer
Gerry Miller, Chief Legislative Analyst
Gaye Williams, Office of the Mayor
Romel Pascual, Office of the Mayor
Matthew W. Szabo, Office of the Mayor
Jennie Carreon De Lacey, Office of the Mayor
Charlie Beck, Los Angeles Police Department
Valerie Flores, Office of the City Attorney
Arletta Brimsey, Office of the City Attorney
Tony Royster, General Services
Regina Adams, Recreation and Parks
Kevin Regan, Recreation and Parks
Michael Shull, Recreation and Parks
Ramon Barajas, Recreation and Parks

OCCUPY LA
Safety Protocols for Discussion Following Law Enforcement Actions
November 29, 2011

The Department of Recreation and Parks is recommending the following to ensure that employees are educated on possible hazards and remain safe at all times. All of these actions would follow the park being secured.

<u>Action</u>	<u>Recommended Responsible Agency</u>
1. Secure services of Biohazard Contractor	Bureau of Sanitation
2. Contractor to work with LAPD and GSD to catalog and clear park of all belongings, trash and debris.	LAPD, General Services
3. Pest Management Contractor to spray for lice and fleas.	Recreation and Parks
4. Power wash City Hall stairs and walkways	General Services, Rec. and Parks
5. Remove wood protection enclosures	General Services
6. Allow 2 weeks for lawn to sit with no entry in order for any remaining urine and fecal matter left in the soil to be broken down by UV and natural means.	
7. During this time Rec. and Parks will train Employees on any potential hazards that could encounter and ensure they are well equipped with safety gear. ie. eye protection, boot covers, mask, etc.. This will be coordinated with all appropriate health agencies.	Rec. and Parks, Health and Safety
8. Finalize Design. Begin restoration efforts.	Recreation and Parks

Recreation and Parks Cell Phone Contacts
Jon Kirk Mukri, General Manager 323-816-6702
Regina Adams, Executive Officer 213-842-5339
Kevin Regan, Assistant General Manager 323-816-6709
Michael Shull, Superintendent 818-524-9053
Ramon Barajas, Superintendent 323-867-6962

MOTION

I MOVE that the City Council DIRECT the Recreation and Parks Department to report to the Arts Parks and Neighborhoods Committee in 10 days on the extent of the damage done to the City Hall Park and the estimated costs to repair the damage and the various options for plans to restore the park back to its normal state.

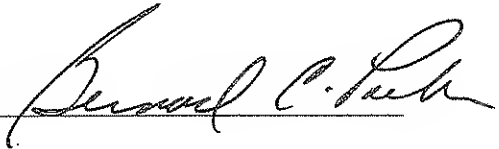
I FURTHER MOVE that the City Council REQUEST the Recreation and Parks Department to report in 10 days on options and costs of applying the principles of the Low-Impact Development ordinance to the park restorations, and making the park a model for sustainable urban landscaping.

PRESENTED BY:



PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY:





ANTONIO R. VILLARAIGOSA
MAYOR

November 25, 2011

To Occupy Los Angeles:

This summer our national political conversation was consumed by debt ceilings and deficit reduction. Our national leaders were single-mindedly focused on cutting spending and cutting services. Issues of social justice and economic equality sat neglected and ignored on the political sidelines.

You have changed that. In seven short weeks, you have awakened the country's conscience. You have given voice to those who have not been heard: to the middle class families who face piles of past due notices and wonder how they will get by; to the students who have done the work, made the grades and have graduated into a job market woefully short on prospects and possibility; to the homeowners who, through no fault of their own, have fallen on hard times and have lost their homes and lifesavings; and to all of the people who face the bitter prospect of an American Dream that grows more and more elusive every day.

The Occupy movement is now at a crossroads. The movement faces the question of how it can build on its initial success. It is a question of whether energy will be consumed to defend a particular patch of earth or whether that energy will be channeled to spreading the message of economic equality and signing more people up for the push to restore the balance to American society.

The encampment in City Hall Park is not sustainable. This is especially true from the standpoint of public health and public safety. Accordingly, we must close, repair and re-open the park to public access. For this reason, we will close the park on Monday, November 28th at 12:01 am. The park closure will include a set of measures that will assist Occupy LA participants to move their personal belongings and property from the park. We will also offer social and health services for those in need.

Occupy Los Angeles
November 25, 2011
Page 2

I am very proud of the fact that since the start of the occupation of City Hall Park, we have done things differently in Los Angeles. We have not stared each other down from opposite sides of barricades and barbed wire. We have communicated. We have listened. We have negotiated. It has allowed us to solve problems peacefully and to avoid the scenes of violence and brutality that have strained the civic fabric of other cities.

It is my hope that we can conclude this first chapter of Occupy LA in a similar spirit. I admire your courage and character. You have opened the eyes of your fellow citizens to the economic hardship in their midst. I am encouraged by your passionate commitment to social justice and look forward to the continued progress of your efforts.

Very truly yours,



ANTONIO R. VILLARAIGOSA
Mayor



Office of the Mayor
City of Los Angeles

ANTONIOR. VILLARAIGOSA

FOR IMMEDIATE RELEASE

Sanders

November 27, 2011

Davis

0741

Contact: Peter

Teddy

213-978-

MAYOR VILLARAIGOSA ISSUES STATEMENT ON UPCOMING CLOSURE OF CITY HALL PARK

LOS ANGELES – Mayor Villaraigosa released the following statement today on the closure of City Hall Park:

“As I stated this past Friday, it is time for Occupy LA to move from focusing their efforts to hold a particular patch of parkland to spreading the message of economic justice and a restoration of balance to American society.

That is why tonight, City Hall Park, where protesters and others have camped for nearly 60 days, will officially close.

While Occupy LA has brought needed attention to the economic disparities in our country, an encampment on City Hall grounds is simply not sustainable indefinitely. We will close and rebuild the park so that any individual will have the opportunity to use this free speech zone to exercise their first amendment rights at City Hall.

During the park rehabilitation, the Spring Street steps of City Hall will remain open during park hours for the Occupy LA movement and other organizations that wish to exercise their freedom of speech.

As Chief Beck has made clear, though the park will officially close tonight at 12:01 a.m., the department will allow campers ample time to remove their belongings peacefully and without disruption.

I am proud of the fact that this has been a peaceful, non-violent protest. It has been peaceful because we have done things differently in Los Angeles.

I trust that we can manage the closure of City Hall Park in the same spirit of cooperation. To facilitate a peaceful and orderly departure from the park, we will take the following steps tomorrow:

1. Officers with General Services police will walk through the encampment handing out bilingual flyers with information about the park closure.
2. Workers from the Los Angeles Homeless Services Authority will also walk through the encampment to inform people about social and public health services that are available.
3. Starting Monday, we will make 50 shelter beds available for those individuals from the encampment who are homeless and will need an alternate place to spend the night. Winter shelters will open Thursday, December 1, increasing the number of beds available.
4. We will make nearby parking available to make it easier for people to move their belongings and personal property. We have and will continue to work hard to ensure that the park closure will be peaceful and non-violent.

The movement has played an important role in focusing the national conversation on economic equality. I encourage them to expand their efforts far beyond the confines of the City Hall Park in the coming months."

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